



---

Volume 44 (2014)

Pennsylvania Bulletin  
Repository

---

5-24-2014

**May 24, 2014 (Pages 3045-3224)**

Pennsylvania Legislative Reference Bureau

Follow this and additional works at: [https://digitalcommons.law.villanova.edu/pabulletin\\_2014](https://digitalcommons.law.villanova.edu/pabulletin_2014)

---

### Recommended Citation

Pennsylvania Legislative Reference Bureau, "May 24, 2014 (Pages 3045-3224)" (2014). *Volume 44 (2014)*. 21.

[https://digitalcommons.law.villanova.edu/pabulletin\\_2014/21](https://digitalcommons.law.villanova.edu/pabulletin_2014/21)

This May is brought to you for free and open access by the Pennsylvania Bulletin Repository at Villanova University Charles Widger School of Law Digital Repository. It has been accepted for inclusion in Volume 44 (2014) by an authorized administrator of Villanova University Charles Widger School of Law Digital Repository.

# PENNSYLVANIA BULLETIN

Volume 44

Number 21

Saturday, May 24, 2014 • Harrisburg, PA

Pages 3045—3224

## **Agencies in this issue**

The Courts

Delaware River Basin Commission

Department of Banking and Securities

Department of Community and Economic  
Development

Department of Conservation and Natural  
Resources

Department of Environmental Protection

Department of Health

Environmental Hearing Board

Environmental Quality Board

Fish and Boat Commission

Game Commission

Independent Regulatory Review Commission

Insurance Department

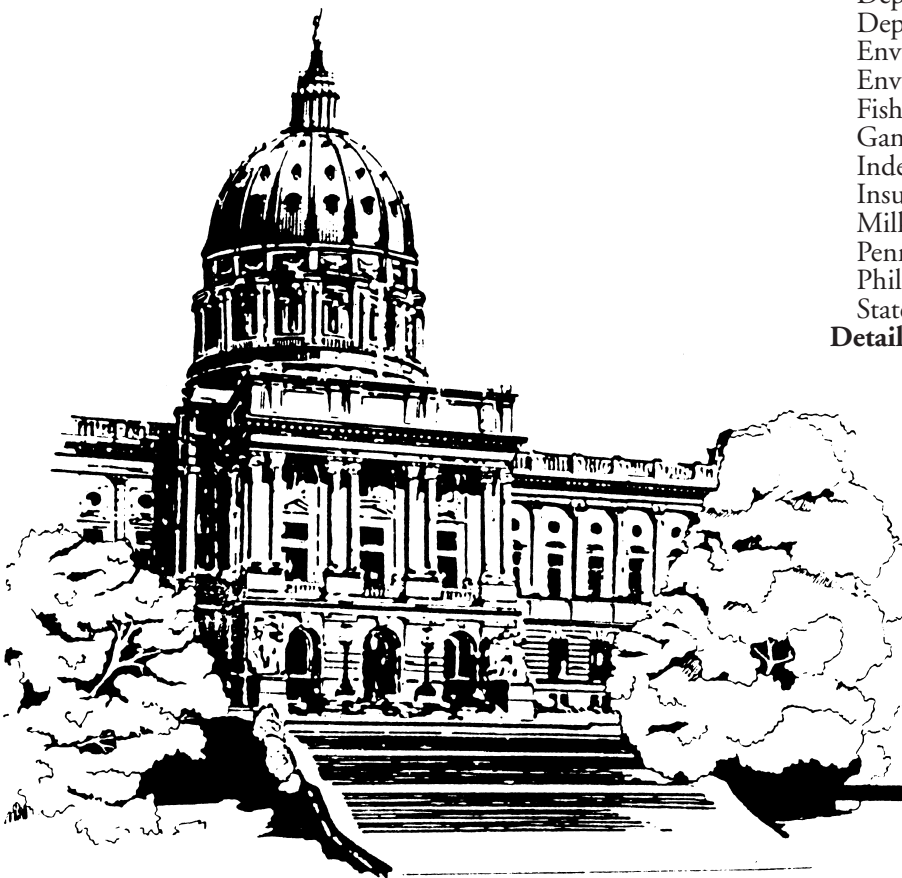
Milk Marketing Board

Pennsylvania Public Utility Commission

Philadelphia Parking Authority

State Conservation Commission

**Detailed list of contents appears inside.**



**Latest Pennsylvania Code Reporters  
(Master Transmittal Sheets):**

**No. 474, May 2014**

CUT ON DOTTED LINES AND ENCLOSE IN AN ENVELOPE

**CHANGE NOTICE/NEW SUBSCRIPTION**

If information on mailing label is incorrect, please make changes in space provided below and mail to:

**FRY COMMUNICATIONS, INC.**

**Attn: *Pennsylvania Bulletin***

**800 W. Church Rd.**

**Mechanicsburg, PA 17055-3198**

CUSTOMER NUMBER (6 digit number above name)

NAME OF INDIVIDUAL

OFFICE NAME—TITLE

ADDRESS (Number and Street)

(City)

(State)

(Zip Code)

TYPE OR PRINT LEGIBLY

**PENNSYLVANIA**



**BULLETIN**

(ISSN 0162-2137)

Postmaster send address changes to:

**FRY COMMUNICATIONS**

**Attn: *Pennsylvania Bulletin***

**800 W. Church Rd.**

**Mechanicsburg, Pennsylvania 17055-3198**

**(717) 766-0211 ext. 2340**

**(800) 334-1429 ext. 2340 (toll free, out-of-State)**

**(800) 524-3232 ext. 2340 (toll free, in State)**

published weekly by Fry Communications, Inc. for the Commonwealth of Pennsylvania, Legislative Reference Bureau, 641 Main Capitol Building, Harrisburg, Pa. 17120, under the policy supervision and direction of the Joint Committee on Documents pursuant to Part II of Title 45 of the Pennsylvania Consolidated Statutes (relating to publication and effectiveness of Commonwealth Documents). Subscription rate \$82.00 per year, postpaid to points in the United States. Individual copies \$2.50. Checks for subscriptions and individual copies should be made payable to "*Fry Communications, Inc.*" Periodicals postage paid at Harrisburg, Pennsylvania.

Orders for subscriptions and other circulation matters should be sent to:

**Fry Communications, Inc.**

**Attn: *Pennsylvania Bulletin***

**800 W. Church Rd.**

**Mechanicsburg, PA 17055-3198**

Copyright © 2014 Commonwealth of Pennsylvania

Editorial preparation, composition, printing and distribution of the *Pennsylvania Bulletin* is effected on behalf of the Commonwealth of Pennsylvania by FRY COMMUNICATIONS, Inc., 800 W. Church Road, Mechanicsburg, Pennsylvania 17055-3198.

# CONTENTS

## THE COURTS

### LOCAL COURT RULES

#### Carbon County

Amendment of civil case management plan;  
04-1823 ..... 3086

#### Chester County

Adoption of new rule of criminal procedure 507 ..... 3088

#### Luzerne County

Order amending rule of civil procedure 1018.1; no.  
5705 of 2014 ..... 3089

### PHILADELPHIA RULES

Amendment of Philadelphia Municipal Court local  
criminal rule 540; President Judge administrative  
order no. 1 of 2014 ..... 3066

Order rescinding and replacing Philadelphia Traffic  
Court local rule 1036 and adopting new Municipal  
Court Traffic Division local rules 1036 and 1037,  
and amending current Traffic Court local rules  
106, 120, 121, 454, 1030, 1031, 1032, 1033, 1034  
and 1035; administrative order no. 01 of  
2014 ..... 3067

### RULES OF APPELLATE PROCEDURE

Proposed amendments to Pa.R.A.P. 1115 and 1116 .. 3054

### RULES OF CRIMINAL PROCEDURE

Order rescinding and replacing Rule 1036 and  
adopting new Rule 1036, amendments to Rules  
105, 1000, 1030, 1031, 1032, 1033, 1034, 1035 and  
1037, and approving the revision of the comments  
to Rules 103, 140, 141, 142, 431, 441, 462, 1001  
and 1002 of the Rules of Criminal Procedure; no.  
450 criminal procedural rules doc. .... 3056

### RULES OF JUDICIAL ADMINISTRATION

Adoption of Rule 1910 of the Rules of Judicial  
Administration; no. 420 judicial administration  
doc. .... 3053

## EXECUTIVE AGENCIES

### DELAWARE RIVER BASIN COMMISSION

#### Notices

Public hearing and business meeting ..... 3104

### DEPARTMENT OF BANKING AND SECURITIES

#### Notices

Actions on applications ..... 3108

### DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

#### Notices

Consolidated Plan public meeting ..... 3109  
Notice of a substantial amendment for the HOME  
investment partnership portion of the 2012 Action  
Plan ..... 3109

### DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

#### Notices

Conservation and Natural Resources Advisory  
Council meeting ..... 3110

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

#### Notices

Applications, actions and special notices ..... 3110  
Bid opportunity ..... 3176  
Clean Air Interstate Rule; proposed 2018 annual  
and ozone season CAIR nitrogen oxides allowance  
allocations; proposed extension of CAIR nitrogen  
oxides set aside program for offsetting sulfur  
dioxide emissions; proposed redistribution of 2012  
allowances for certain facilities ..... 3177  
Control measure under consideration by the Ozone  
Transport Commission; public comment  
period ..... 3196

### DEPARTMENT OF HEALTH

#### Notices

Applications for exception:  
CH Hospital of Allentown, LLC ..... 3196  
Chester County Hospital ..... 3197  
Children's Surgery Center, LLC ..... 3197  
Holy Spirit Hospital ..... 3197  
NextGen Endoscopy Centre ..... 3197  
PRISM Center for Spine and Pain Care ..... 3198  
Pinnacle Health Hospital ..... 3198  
Planned Parenthood Keystone (PPKey)—  
Allentown ..... 3198  
Planned Parenthood Keystone (PPKey)—Easton .. 3198  
Planned Parenthood Keystone (PPKey)—  
Harrisburg ..... 3199  
Planned Parenthood Keystone (PPKey)—Reading . 3199  
Planned Parenthood Keystone (PPKey)—  
Warminster ..... 3199  
Planned Parenthood Keystone (PPKey)—York .... 3199  
UPMC Mercy ..... 3200  
UPMC Presbyterian Shadyside ..... 3200  
Long-term care nursing facilities; request for excep-  
tion ..... 3200

### ENVIRONMENTAL HEARING BOARD

#### Notices

Franklin Township Municipal Sanitary Authority v.  
DEP; EHB doc. no. 2014-063-B ..... 3201

### ENVIRONMENTAL QUALITY BOARD

#### Notices

Meeting cancellation ..... 3201

### FISH AND BOAT COMMISSION

#### Notices

Additions to list of class A wild trout waters ..... 3201  
Classification of wild trout streams; additions,  
adjustments and removals ..... 3202

### GAME COMMISSION

#### Rules and Regulations

Hunting and trapping; beaver trapping ..... 3100  
Hunting and trapping; elk ..... 3099  
Hunting and trapping; hunting hours ..... 3101  
Hunting and trapping; special permits ..... 3098  
Preliminary provisions; hunting and trapping ..... 3091

---

**Now Available Online at <http://www.pabulletin.com>**

---

Seasons and bag limits.....	3091
Special permits; Mentored Hunting Program permit .....	3102

### **Proposed Rulemaking**

Wildlife classification; general .....	3103
--	------

### **INDEPENDENT REGULATORY REVIEW COMMISSION**

#### **Notices**

Notice of filing of final rulemakings.....	3202
--	------

### **INSURANCE DEPARTMENT**

#### **Notices**

Application for approval to acquire control of Healthcare Providers Insurance Exchange.....	3202
Application and request for a certificate of authority to provide a continuing care retirement commu- nity by Phoebe Corporate and Community Based Services, Inc. ....	3202
Berkshire Life Insurance Company of America; pro- posed rate increase for several LTC forms; rate filing.....	3203
Review procedure hearings; cancellation or refusal of insurance .....	3203

### **MILK MARKETING BOARD**

#### **Notices**

Sunshine meeting calendar for fiscal year 2014-2015 .....	3203
--	------

### **PENNSYLVANIA PUBLIC UTILITY COMMISSION**

#### **Notices**

Amended petition of Sunoco Pipeline, LP (31 docu- ments) .....	3204, 3205, 3206, 3207, 3208, 3209, 3210, 3211, 3212, 3213, 3214, 3215
Assignment of certain retail telecommunications customers .....	3215
Service of notice of motor carrier applications.....	3215
Service of notice of motor carrier formal complaints.	3216

### **PHILADELPHIA PARKING AUTHORITY**

#### **Notices**

Motor carrier medallion transfer application for service in the City of Philadelphia .....	3223
---	------

### **STATE CONSERVATION COMMISSION**

#### **Notices**

Action on odor management plans for concentrated animal operations and concentrated animal feed- ing operations and volunteers complying with the Commonwealth's Facility Odor Management Program .....	3223
---	------

# READER'S GUIDE TO THE PENNSYLVANIA BULLETIN AND PENNSYLVANIA CODE

## *Pennsylvania Bulletin*

The *Pennsylvania Bulletin* is the official gazette of the Commonwealth of Pennsylvania. It is published every week and includes a table of contents. A cumulative subject matter index is published quarterly.

The *Pennsylvania Bulletin* serves several purposes. First, it is the temporary supplement to the *Pennsylvania Code*, which is the official codification of agency rules and regulations and other statutorily authorized documents. Changes in the codified text, whether by adoption, amendment, repeal or emergency action must be published in the *Pennsylvania Bulletin*. Further, agencies proposing changes to the codified text do so in the *Pennsylvania Bulletin*.

Second, the *Pennsylvania Bulletin* also publishes: Governor's Executive Orders; State Contract Notices; Summaries of Enacted Statutes; Statewide and Local Court Rules; Attorney General Opinions; Motor Carrier Applications before the Pennsylvania Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

The text of certain documents published in the *Pennsylvania Bulletin* is the only valid and enforceable text. Courts are required to take judicial notice of the *Pennsylvania Bulletin*.

## **Adoption, Amendment or Repeal of Regulations**

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances when the agency may omit the proposal step; it still must publish the adopted version.

The Notice of Proposed Rulemaking contains the full text of the change, the agency contact person, a fiscal note required by law and background for the action.

The agency then allows sufficient time for public comment before taking final action. An adopted proposal must be published in the *Pennsylvania Bulletin* before it can take effect. If the agency

wishes to adopt changes to the Notice of Proposed Rulemaking to enlarge the scope, it must repropose.

## **Citation to the *Pennsylvania Bulletin***

Cite material in the *Pennsylvania Bulletin* by volume number, a page number and date. Example: Volume 1, *Pennsylvania Bulletin*, page 801, January 9, 1971 (short form: 1 Pa.B. 801 (January 9, 1971)).

## ***Pennsylvania Code***

The *Pennsylvania Code* is the official codification of rules and regulations issued by Commonwealth agencies and other statutorily authorized documents. The *Pennsylvania Bulletin* is the temporary supplement to the *Pennsylvania Code*, printing changes as soon as they occur. These changes are then permanently codified by the *Pennsylvania Code Reporter*, a monthly, loose-leaf supplement.

The *Pennsylvania Code* is cited by title number and section number. Example: Title 10 *Pennsylvania Code*, § 1.1 (short form: 10 Pa. Code § 1.1).

Under the *Pennsylvania Code* codification system, each regulation is assigned a unique number by title and section. Titles roughly parallel the organization of Commonwealth government. Title 1 *Pennsylvania Code* lists every agency and its corresponding *Code* title location.

## **How to Find Documents**

Search for your area of interest in the *Pennsylvania Code*. The *Pennsylvania Code* is available at [www.pacode.com](http://www.pacode.com).

Source Notes give you the history of the documents. To see if there have been recent changes, not yet codified, check the List of *Pennsylvania Code* Chapters Affected in the most recent issue of the *Pennsylvania Bulletin*.

A chronological table of the history of *Pennsylvania Code* sections may be found at [www.legis.state.pa.us](http://www.legis.state.pa.us).

The *Pennsylvania Bulletin* also publishes a quarterly List of Pennsylvania Code Sections Affected which lists the regulations in numerical order, followed by the citation to the *Pennsylvania Bulletin* in which the change occurred. The *Pennsylvania Bulletin* is available at [www.pabulletin.com](http://www.pabulletin.com).

**SUBSCRIPTION INFORMATION: (717) 766-0211  
GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**



### Printing Format

Material proposed to be added to an existing rule or regulation is printed in **bold face** and material proposed to be deleted from such a rule or regulation is enclosed in brackets [ ] and printed in **bold face**. Asterisks indicate ellipsis of *Pennsylvania Code* text retained without change. Proposed new or additional regulations are printed in ordinary style face.

### Fiscal Notes

Section 612 of The Administrative Code of 1929 (71 P. S. § 232) requires that the Office of Budget prepare a fiscal note for regulatory actions and administrative procedures of the administrative departments, boards, commissions or authorities receiving money from the State Treasury stating whether the proposed action or procedure causes a loss of revenue or an increase in the cost of programs for the Commonwealth or its political subdivisions; that the fiscal note be published in the *Pennsylvania Bulletin* at the same time as the proposed change is advertised; and that the fiscal note shall provide the following information: (1) the designation of the fund out of which the appropriation providing for expenditures under the action or procedure shall be made; (2) the probable cost for the fiscal year the program is implemented; (3) projected cost estimate of the program for each of the five succeeding fiscal years; (4) fiscal history of the program for which expenditures are to be made; (5) probable loss of revenue for the fiscal year of its implementation; (6) projected loss of revenue from the program for each of the five succeeding fiscal years; (7) line item, if any, of the General Appropriation Act or other appropriation act out of which expenditures or losses of Commonwealth funds shall occur as a result of the action or procedures; (8) recommendation, if any, of the Secretary of the Budget and the reasons therefor.

The required information is published in the foregoing order immediately following the proposed change to which it relates; the omission of an item indicates that the agency text of the fiscal note states that there is no information available with respect thereto. In items (3) and (6) information is set forth for the first through fifth fiscal years; in that order, following the year the program is implemented, which is stated. In item (4) information is set forth for the current and two immediately preceding years, in that order. In item (8) the recommendation, if any, made by the Secretary of Budget is published with the fiscal note. See 4 Pa. Code § 7.231 *et seq.* Where “no fiscal impact” is published, the statement means no additional cost or revenue loss to the Commonwealth or its local political subdivision is intended.

### Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

#### § 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

# List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2014.

## 4 Pa. Code (Administration)

### Adopted Rules

6 .....	2505, 2617
113 .....	888
405 .....	485

### Statements of Policy

9 .....	32, 783, 1005, 1241, 1451, 2060, 2758
---------	---------------------------------------

## 7 Pa. Code (Agriculture)

### Adopted Rules

46 .....	2220
76 .....	2220

### Proposed Rules

128 .....	2058
-----------	------

## 10 Pa. Code (Banking and Securities)

### Proposed Rules

57 .....	2751
----------	------

## 12 Pa. Code (Commerce, Trade and Local Government)

### Adopted Rules

149 .....	488
-----------	-----

## 22 Pa. Code (Education)

### Adopted Rules

4 .....	1131, 1754
---------	------------

## 25 Pa. Code (Environmental Protection)

### Adopted Rules

121 .....	2236
139 .....	2236
250 .....	2975
806 .....	2640
901 .....	2849, 2850

### Proposed Rules

78 .....	648
121 .....	2392
129 .....	2392
250 .....	2980

## 28 Pa. Code (Health and Safety)

### Proposed Rules

709 .....	1317
-----------	------

## 31 Pa. Code (Insurance)

### Adopted Rules

25 .....	2851
----------	------

## 34 Pa. Code (Labor and Industry)

### Adopted Rules

14 .....	1233
14a .....	1233

### Proposed Rules

111 .....	996
131 .....	996

## 37 Pa. Code (Law)

### Adopted Rules

11 .....	1233
13 .....	1233

79 .....	328
431 .....	1313

## 40 Pa. Code (Liquor)

### Adopted Rules

11 .....	1233, 2056
----------	------------

## 49 Pa. Code (Professional and Vocational Standards)

### Adopted Rules

3 .....	2242
7 .....	2244
15 .....	993
16 .....	583
18 .....	583
25 .....	589
37 .....	888
43b .....	597
47 .....	2863

### Proposed Rules

21 .....	648
43b .....	2247

## 52 Pa. Code (Public Utilities)

### Adopted Rules

1 .....	249
3 .....	249
5 .....	249
23 .....	249
29 .....	249
32 .....	249
53 .....	249
54 .....	249
57 .....	249
59 .....	249
62 .....	249

### Proposed Rules

5 .....	2868
57 .....	1321, 1771
1001 .....	2753
1011 .....	2753
1017 .....	252, 1323
1019 .....	1323
1051 .....	2753

### Statements of Policy

69 .....	2405
----------	------

## 58 Pa. Code (Recreation)

### Adopted Rules

51 .....	1762
63 .....	250, 1762
65 .....	1764
69 .....	1766
93 .....	1767
131 .....	3091
133 .....	1429
135 .....	1429, 1883
139 .....	3091
141 .....	3091, 3098, 3099, 3100, 3101
143 .....	1430, 1768
147 .....	1432, 3098, 3102
461a .....	599, 619



463a	599
464a	599
465a	599, 619
525	619
575	619
577	619
579	619
581	1234
590	26
591	1234
603a	619
607a	599
609a	619
623a	619
627a	599, 619
629a	599, 619
631a	599, 619
633a	599, 619
635a	619
637a	619
649a	619
659a	619
661a	619
663a	619
665a	619

**Proposed Rules**

61	901
63	901, 1769
69	901
71	901
73	901
131	1440
133	3103
139	1442
141	1435, 1436, 1438, 1440
147	1438, 1448

**Statements of Policy**

57	1772
----	------

**61 Pa. Code (Revenue)****Adopted Rules**

5	1432
---	------

**67 Pa. Code (Transportation)****Adopted Rules**

427	2384
-----	------

**Proposed Rules**

47	2642
----	------

**201 Pa. Code (Rules of Judicial Administration)****Adopted Rules**

2	319, 1419
19	454, 1428, 3053

**204 Pa. Code (Judicial System General Provisions)****Adopted Rules**

81	2847
82	768
83	768, 1749, 2847

**Proposed Rules**

83	1865, 2199
303	1967, 1969

**207 Pa. Code (Judicial Conduct)****Adopted Rules**

33	455
----	-----

**210 Pa. Code (Appellate Procedure)****Adopted Rules**

1	8
19	2053
21	2510

**Proposed Rules**

1	471
3	319
9	319, 471
11	471, 3054
13	471
15	2052
33	471

**225 Pa. Code (Rules of Evidence)****Adopted Rules**

Article VIII	1309
--------------	------

**231 Pa. Code (Rules of Civil Procedure)****Adopted Rules**

200	323, 2747
1000	8
1930	1749
2220	8
3000	1750

**Proposed Rules**

200	323, 324, 475
1900	2199

**234 Pa. Code (Rules of Criminal Procedure)****Adopted Rules**

1	3056
4	3056
5	239, 477, 1309
10	3056

**Proposed Rules**

1	769
4	475, 577, 769, 2369
5	778
7	475, 2369
10	769

**237 Pa. Code (Juvenile Rules)****Adopted Rules**

1	781, 1868
11	781

**Proposed Rules**

4	246
11	9

**246 Pa. Code (Minor Court Civil Rules)****Adopted Rules**

300	13
500	13, 14
800	14
1000	14

**Proposed Rules**

300	10, 479
-----	---------

**249 Pa. Code (Philadelphia Rules)**

Unclassified	883, 3066, 3067
--------------	-----------------

**255 Pa. Code (Local Court Rules)**

Unclassified	16, 17, 18, 19, 20, 21, 23, 24, 25, 247, 324, 325, 480, 481, 581, 991, 1123, 1124, 1428, 1752, 1753, 1868, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 2054, 2200, 2201, 2216, 2372, 2510, 2511, 2513, 2515, 2620, 2638, 2639, 2747, 2749, 2750, 2847, 2848, 3086, 3088, 3089
--------------	---

# THE COURTS

## Title 201—RULES OF JUDICIAL ADMINISTRATION

[ 201 PA. CODE CH. 19 ]

**Adoption of Rule 1910 of the Rules of Judicial Administration; No. 420 Judicial Administration Doc.**

### Amended Order

*Per Curiam*

And Now, this 8th day of January, 2014, *It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 1910 of the Pennsylvania Rules of Judicial Administration is adopted in the following form.

To the extent that notice of proposed rulemaking may be required by Pa.R.J.A. No. 103, the immediate promulgation of Pa.R.J.A. No. 1910 is found to be in the interest of efficient administration.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective on July 1, 2014.

### Annex A

#### TITLE 201. RULES OF JUDICIAL ADMINISTRATION

#### CHAPTER 19. MISCELLANEOUS ADMINISTRATIVE PROVISIONS

#### BROADCASTING IN THE COURTROOM

#### Rule 1910. Broadcasting in the Courtroom.

Unless otherwise provided by the Supreme Court of Pennsylvania, judges should prohibit broadcasting, televising, recording or taking photographs in the courtroom and areas immediately adjacent thereto during sessions of court or recesses between sessions, except that a judge may authorize:

A. the use of electronic or photographic means for the presentation of evidence, for the perpetuation of a record or for other purposes of judicial administration;

B. the broadcasting, televising, recording, or photographing of investitive, ceremonial, or naturalization proceedings;

C. the photographic or electronic recording and reproduction of appropriate court proceedings under the following conditions:

(1) the means of recording will not distract participants or impair the dignity of the proceedings; and

(2) the parties have consented; and the consent to being depicted or recorded has been obtained from each witness appearing in the recording and reproductions; and

(3) the reproduction will not be exhibited until after the proceeding has been concluded and all direct appeals have been exhausted; and

(4) the reproduction will be exhibited only for instructional purposes in educational institutions[ ; or ].

D. the use of electronic broadcasting, televising, recording and taking photographs in the courtroom and areas immediately adjacent thereto during sessions of court or

recesses between sessions of any trial court nonjury civil proceeding, however, for the purposes of this subsection, "civil proceedings" shall not be construed to mean a support, custody or divorce proceeding. Subsection [ C and D ] (3) and (4) shall not apply to nonjury civil proceedings as heretofore defined. No witness or party who expresses any prior objection to the judge shall be photographed nor shall the testimony of such witness or party be broadcast or telecast. Permission for the broadcasting, televising, recording and photographing of any civil nonjury proceeding shall have first been expressly granted by the judge, and under such conditions as the judge may prescribe in accordance with the guidelines contained in this rule.

### Note:

Temperate conduct of judicial proceedings is essential to the fair administration of justice. The recording and reproduction of a proceeding should not distort or dramatize the proceeding.

See the Internal Operating Procedures of the Supreme Court of Pennsylvania and the Commonwealth Court of Pennsylvania regarding broadcasting of proceedings by the Pennsylvania Cable Network.

In implementing this rule, the following guidelines shall apply:

a. *Officers of Court.* The judge has the authority to direct whether broadcast equipment may be taken within the courtroom. The broadcast news person should advise the tipstaff prior to the start of a court session that he or she desires to electronically record and/or broadcast live from within the courtroom. The tipstaff may have prior instructions from the judge as to where the broadcast reporter and/or camera operator may position themselves. In the absence of any directions from the judge or tipstaff, the position should be behind the front row of spectator seats by the least used aisleway or other unobtrusive but viable location.

b. *Pooling.* Unless the judge directs otherwise, no more than one TV camera should be taking pictures in the courtroom at any one time. Where coverage is by both radio and TV, the microphones used by TV should also serve for radio and radio should be permitted to feed from the TV sound system. Multiple radio feeds, if any, should be provided by a junction box outside of the courtroom, such as in the adjacent public hallway. It should be the responsibility of each broadcast news representative present at the opening of each session of court to achieve an understanding with all other broadcast representatives as to who will function at any given time, or, in the alternative, how they will pool their photographic coverage. This understanding should be reached outside the courtroom and without imposing on the judge or court personnel.

Broadcast coverage outside the courtroom should be handled with care and discretion, but need not be pooled.

c. *Broadcast Equipment.* All running wires used should be securely taped to the floor. All broadcasting equipment should be handled as inconspicuously and quietly as reasonably possible. Sufficient file and/or tape capacities should be provided to obviate film and/or tape changes except during court recess. No camera should give any indication of whether it is or is not operating, such as the red light on some studio cameras. No additional lights

should be used without the specific approval of the presiding judge, and then only as he may specifically approve.

d. *Decorum*. Broadcast representatives' dress should not set them apart unduly from other trial spectators. Camera operators should not move tripod-mounted cameras except during court recesses. All broadcast equipment should be in place and ready to function no less than five minutes before the beginning of each session of court.

[Pa.B. Doc. No. 14-1077. Filed for public inspection May 23, 2014, 9:00 a.m.]

## Title 210—APPELLATE PROCEDURE

### PART I. RULES OF APPELLATE PROCEDURE

#### [ 210 PA. CODE CH. 11 ]

#### Proposed Amendments to Pa.R.A.P. 1115 and 1116

The Appellate Court Procedural Rules Committee proposes to recommend amendments to Pa.R.A.P. 1115 and 1116. This proposal is being submitted for public comments, suggestions, and concerns prior to submission to the Supreme Court.

Proposed new material is in bold face type and deleted material is bracketed and in bold face type.

All communications in reference to the proposed amendment should be sent no later than June 23, 2014 to:

Appellate Court Procedural Rules Committee  
Pennsylvania Judicial Center  
601 Commonwealth Ave., Suite 6200  
P. O. Box 62635  
Harrisburg, Pennsylvania 17106-2635  
or Fax to  
(717) 231-9551  
or E-Mail to  
appellaterules@pacourts.us

An Explanatory Comment precedes the proposed amendment and has been inserted by this Committee for the convenience of the bench and bar. It will not constitute part of the rule nor will it be officially adopted or promulgated.

*By the Appellate Court  
Procedural Rules Committee*

HONORABLE RENÉE COHN JUBELIRER,  
*Chair*

#### Annex A

#### TITLE 210. APPELLATE PROCEDURE

#### PART I. RULES OF APPELLATE PROCEDURE

#### ARTICLE II. APPELLATE PROCEDURE

#### CHAPTER 11. APPEALS FROM COMMONWEALTH COURT AND SUPERIOR COURT

#### PETITION FOR ALLOWANCE OF APPEAL

#### Rule 1115. Content of the Petition for Allowance of Appeal.

(a) *General rule*.—The petition for allowance of appeal need not be set forth in numbered paragraphs in the

manner of a pleading, and shall contain the following (which shall, insofar as practicable, be set forth in the order stated):

[ (1) ] 1. A reference to the official and unofficial reports of the opinions delivered in the courts below, if any, and if reported. Any such opinions shall be appended as provided in [ **Paragraph (6) of this subdivision** ] **item 6 of paragraph (a) of this rule**.

[ (2) ] 2. The text of the order in question, or the portions thereof sought to be reviewed, and the date of its entry in the appellate court below. If the order is voluminous, it may, if more convenient, be appended to the petition.

[ (3) ] 3. The questions presented for review, expressed in the terms and circumstances of the case but without unnecessary detail. The statement of questions presented will be deemed to include every subsidiary question fairly comprised therein. Only the questions set forth in the petition, or fairly comprised therein, will ordinarily be considered by the court in the event an appeal is allowed.

[ (4) ] 4. A concise statement of the case containing the facts material to a consideration of the questions presented.

[ (5) ] 5. A concise statement of the reasons relied upon for allowance of an appeal. *See* [ **Rule 1114 (considerations governing allowance of appeal)** ] **Pa.R.A.P. 1114**.

[ (6) ] 6. There shall be appended to the petition a copy of any opinions delivered relating to the order sought to be reviewed, as well as all opinions of government units or lower courts in the case, and, if reference thereto is necessary to ascertain the grounds of the order, opinions in companion cases. If an application for reargument was filed in the Superior Court or Commonwealth Court, there also shall be appended to the petition a copy of any order granting or denying the application for reargument. If whatever is required by this paragraph to be appended to the petition is voluminous, it may, if more convenient, be separately presented.

[ (7) ] 7. There shall be appended to the petition the verbatim texts of the pertinent provisions of constitutional provisions, statutes, ordinances, regulations or other similar enactments which the case involves, and the citation to the volume and page where they are published, including the official edition, if any.

(b) *Caption and parties*.—All parties to the proceeding in the appellate court below shall be deemed parties in the Supreme Court, unless the petitioner shall notify the Prothonotary of the Supreme Court of the belief of the petitioner that one or more of the parties below have no interest in the outcome of the petition. A copy of such notice shall be served on all parties to the matter in the lower court, and a party noted as no longer interested may remain a party in the Supreme Court by filing a notice that he has an interest in the petition with the Prothonotary of the Supreme Court. All parties in the Supreme Court other than petitioner shall be named as respondents, but respondents who support the position of the petitioner shall meet the time schedule for filing papers which is provided in this chapter for the petitioner, except that any response by such respondents to the petition shall be filed as promptly as possible after receipt of the petition.

(c) *No supporting brief*.—All contentions in support of a petition for allowance of appeal shall be set forth in the

body of the petition as provided by [ **Paragraph (a)(5)** ] **item 5 of paragraph (a)** of this rule. Neither the briefs below nor any separate brief in support of a petition for allowance of appeal will be received, and the Prothonotary of the Supreme Court will refuse to file any petition for allowance of appeal to which is annexed or appended any brief below or supporting brief.

(d) *Essential requisites of petition.*—The failure of a petitioner to present with accuracy, brevity, and clearness whatever is essential to a ready and adequate understanding of the points requiring consideration will be a sufficient reason for denying the petition.

(e) *Multiple petitioners.*—Where permitted by [ **Rule 512 (joint appeals)** ] **Pa.R.A.P. 512** a single petition for allowance of appeal may be filed.

(f) *Length.*—A petition for allowance of appeal shall not exceed 9,000 words. A petition for allowance of appeal that does not exceed 20 pages when produced by a word processor or typewriter shall be deemed to meet the 9,000 word limit. In all other cases, the attorney or the unrepresented filing party shall include a certification that the petition complies with the word count limit. The certificate may be based on the word count of the word processing system used to prepare the petition.

(g) *Supplementary matter.*—The cover of the petition for allowance of appeal and pages containing the table of contents, table of citations, proof of service and anything appended under items 6 and 7 of paragraph (a) of this rule shall not count against the word count limitations of this rule.

**Official Note:** Former Supreme Court Rule 62 permitted the petitioner in effect to dump an undigested mass of material ([ *i.e.*, ] **such as** briefs in and opinions of the court below) in the lap of the Supreme Court, with the burden on the individual justices and their law clerks to winnow the wheat from the chaff. This rule, which is patterned after U.S. Supreme Court Rule 23, places the burden on the petitioner to prepare a succinct and coherent presentation of the case and the reasons in support of allowance of appeal.

Where an appellant desires to challenge the discretionary aspects of a sentence of a trial court no “petition for allowance of appeal,” as that term is used in these rules, may be filed and the practice is governed by Chapter 9 [ **(appeals from lower courts)** ]. See note to [ **Rule 902 (manner of taking appeal)** ] **Pa.R.A.P. 902**.

#### **Rule 1116. Answer to the Petition for Allowance of Appeal.**

(a) *General rule.*—Except as otherwise prescribed by this rule, within 14 days after service of a petition for allowance of appeal an adverse party may file an answer. The answer shall be deemed filed on the date of mailing if first class, express, or priority United States Postal Service mail is utilized. The answer need not be set forth in numbered paragraphs in the manner of a pleading, shall set forth any procedural, substantive or other argument or ground why the order involved should not be reviewed by the Supreme Court and shall comply with [ **Rule 1115(a)(7) (content of petition for allowance of appeal)** ] **Pa.R.A.P. 1115(a).7**. No separate motion to dismiss a petition for allowance of appeal will be received. A party entitled to file an answer under this rule who does not intend to do so shall, within the time fixed by these rules for filing an answer, file a letter stating that

an answer to the petition for allowance of appeal will not be filed. The failure to file an answer will not be construed as concurrence in the request for allowance of appeal.

(b) *Children’s fast track appeals.*—In a children’s fast track appeal, within 10 days after service of a petition for allowance of appeal, an adverse party may file an answer.

(c) *Length.*—An answer to a petition for allowance of appeal shall not exceed 9,000 words. An answer that does not exceed 20 pages when produced by a word processor or typewriter shall be deemed to meet the 9,000 word limit. In all other cases, the attorney or the unrepresented filing party shall include a certification that the petition complies with the word count limit. The certificate may be based on the word count of the word processing system used to prepare the answer.

**Official Note:** This rule and [ **Rule** ] **Pa.R.A.P. 1115** contemplate that the petition and answer will address themselves to the heart of the issue, [*i.e.*] **such as** whether the Supreme Court ought to exercise its discretion to allow an appeal, without the need to comply with the formalistic pattern of numbered averments in the petition and correspondingly numbered admissions and denials in the response. While such a formalistic format is appropriate when factual issues are being framed in a trial court (as in the petition for review under Chapter 15) such a format interferes with the clear narrative exposition necessary to outline succinctly the case for the Supreme Court in the allocatur context.

#### **Explanatory Comment**

In 2013, the Pennsylvania Supreme Court adopted new rules governing the length of appellate briefs and some other appellate papers, establishing word limits for each. Given the narrow focus of petitions for allowance of appeal and answers to petitions, and the current absence of any length limitation on them, the Committee proposes to create word limits for petitions for allowance of appeal and answers to petitions for allowance of appeal by amending **Pa.R.A.P. 1115** and **Pa.R.A.P. 1116** as follows:

#### *Proposed New Paragraph (f) of Rule 1115*

1115(f) *Length.*—A petition for allowance of appeal shall not exceed 9,000 words. A petition for allowance of appeal that does not exceed 20 pages when produced by a word processor or typewriter shall be deemed to meet the 9,000 word limit. In all other cases, the attorney or the unrepresented filing party shall include a certification that the petition complies with the word count limit. The certificate may be based on the word count of the word processing system used to prepare the petition.

#### *Proposed New Paragraph (c) of Rule 1116*

1116(c) *Length.*—An answer to a petition for allowance of appeal shall not exceed 9,000 words. An answer that does not exceed 20 pages when produced by a word processor or typewriter shall be deemed to meet the 9,000 word limit. In all other cases, the attorney or the unrepresented filing party shall include a certification that the petition complies with the word count limit. The certificate may be based on the word count of the word processing system used to prepare the answer.

The Committee believes that these limits, which mirror limits for United States Supreme Court petitions for certiorari and answers, will be sufficient to allow petition-



ers and respondents full explication of the reasons for granting or denying a petition for allowance of appeal.

[Pa.B. Doc. No. 14-1078. Filed for public inspection May 23, 2014, 9:00 a.m.]

## Title 234—RULES OF CRIMINAL PROCEDURE

[ 234 PA. CODE CHS. 1, 4 AND 10 ]

**Order Rescinding and Replacing Rule 1036 and Adopting New Rule 1036, Amendments to Rules 105, 1000, 1030, 1031, 1032, 1033, 1034, 1035 and 1037, and Approving the Revision of the Comments to Rules 103, 140, 141, 142, 431, 441, 462, 1001 and 1002 of the Rules of Criminal Procedure; No. 450 Criminal Procedural Rules Doc.**

### Order

*Per Curiam*

And Now, this 7th day of May, 2014, upon the recommendation of the Criminal Procedural Rules Committee; the proposal having been published before adoption at 44 Pa.B. 769 (February 8, 2014), and in the *Atlantic Reporter* (Third Series Advance Sheets, Vol. 68), and a Final Report to be published with this Order:

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that new Pennsylvania Rule of Criminal Procedure 1036, and the amendments to Pennsylvania Rules of Criminal Procedure 105, 1000, 1030, 1031, 1032, 1033, 1034, 1035, 1037 are adopted and the revision to the Comments to Pennsylvania Rules of Criminal Procedure 103, 140, 141, 142, 431, 441, 462, 1001, and 1002 are approved in the following form.

This Order shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective immediately.

### Annex A

#### TITLE 234. RULES OF CRIMINAL PROCEDURE CHAPTER 1. SCOPE OF RULES, CONSTRUCTION AND DEFINITIONS, LOCAL RULES

##### PART A. Business of the Courts

##### Rule 103. Definitions.

\* \* \* \*

##### Comment

\* \* \* \*

Neither the definition of law enforcement officer nor the definition of police officer gives the power of arrest to any person who is not otherwise given that power by law.

**See Rule 1036 for the definition of hearing officers of the Philadelphia Municipal Court Traffic Division as “issuing authorities” for limited purposes specified in the rule.**

The definition of signature was added in 2004 to make it clear when a rule requires a document generated by the minor judiciary or court of common pleas to include a signature or to be signed, that the signature may be in any of the forms provided in the definition. In addition, documents that institute proceedings or require the inclu-

sion of an oath ordinarily are not documents generated by the minor courts or courts of common pleas and therefore any signature required on the document would not be included in this definition of signature; however, in the event such a document is generated by the minor courts or the courts of common pleas, the form of “signature” on this document is limited to handwritten, and the other forms of signature provided in the definition are not permitted.

Included in Chapter 5 Part C of the rules are additional definitions of words and phrases that apply specifically to bail in criminal cases. *See, e.g.*, Rule 524, which defines the types of release on bail.

**Official Note:** Previous Rules 3 and 212 adopted June 30, 1964, effective January 1, 1965, suspended January 31, 1970, effective May 1, 1970; present Rule 3 adopted January 31, 1970, effective May 1, 1970; amended June 8, 1973, effective July 1, 1973; amended February 15, 1974, effective immediately; amended June 30, 1977, effective September 1, 1977; amended January 4, 1979, effective January 9, 1979; amended July 12, 1985, effective January 1, 1986; January 1, 1986 effective date extended to July 1, 1986; amended August 12, 1993, effective September 1, 1993; amended February 27, 1995, effective July 1, 1995; amended September 13, 1995, effective January 1, 1996. The January 1, 1996 effective date extended to April 1, 1996; the April 1, 1996 effective date extended to July 1, 1996; renumbered Rule 103 and Comment revised March 1, 2000, effective April 1, 2001; amended May 10, 2002, effective September 1, 2002; amended March 3, 2004, effective July 1, 2004; amended April 30, 2004, effective July 1, 2004; amended August 24, 2004, effective August 1, 2005; amended February 4, 2005, effective immediately; amended May 6, 2009, effective immediately; amended June 21, 2012, effective in 180 days; **Comment revised May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

\* \* \* \*

**Final Report explaining the May 7, 2014 revision of the Comment cross-referencing the Rule 1036 limited definition of Philadelphia Municipal Court Traffic Division hearing officers as “issuing authorities” published with the Court’s Order at 44 Pa.B. 3065 (May 24, 2014).**

##### Rule 105. Local Rules.

(A) For the purpose of this rule, the term “local rule” shall include every rule, administrative order, regulation, directive, policy, custom, usage, form or order of general application, however labeled or promulgated, which is adopted or enforced by a court of common pleas, by the Philadelphia Municipal Court, or by [ the Philadelphia Traffic Court ] the Philadelphia Municipal Court Traffic Division to govern criminal practice and procedure.

\* \* \* \*

##### Comment

\* \* \* \*

The Administrative Office of [ the ] Pennsylvania Courts maintains a web site containing the texts of local rules **at:** <http://www.pacourts.us/T/SpecialCourts/LocalRules.htm>.

The Administrative Office of [ the ] Pennsylvania Courts also maintains a web site containing all local

criminal rules adopted or amended after February 1, 2009 at: <http://ujportal.pacourts.us/localrules/ruleselection.aspx>.

Although under paragraph (E)(3) a local rule shall not be effective until at least 30 days after the date of publication in the *Pennsylvania Bulletin*, when a situation arises that requires immediate action, the local court may act by specific orders governing particular cases in the interim before an applicable local rule becomes effective.

The purpose of paragraph (I) is to (1) require that all documents presented for filing are accepted by the clerk of courts, also see Rule 576(A)(3), and (2) prevent the dismissal of cases, or the grant or denial of requested relief, because a party has failed to comply with a local rule. In addition, paragraph (I) requires that the party be alerted to the local rule, and be given a reasonable amount of time to comply with the local rule.

After the court has alerted the party to the local rule pursuant to paragraph (I), the court may impose a sanction for subsequent noncompliance either on counsel or the defendant if proceeding *pro se*, but may not dismiss the case, or grant or deny relief because of non-compliance.

**Official Note:** Rule 6 adopted January 28, 1983, effective July 1, 1983; amended May 19, 1987, effective July 1, 1987; renumbered Rule 105 and amended March 1, 2000, effective April 1, 2001; amended October 24, 2000, effective January 1, 2001; Comment revised June 8, 2001, effective immediately; amended October 15, 2004, effective January 1, 2005; amended September 9, 2005, effective February 1, 2006; amended January 25, 2008, effective February 1, 2009; amended January 30, 2009, effective February 1, 2009; **amended May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the May 7, 2014 amendments concerning the transfer of the Philadelphia Traffic Court functions to the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

**PART D. Procedures Implementing 42 Pa.C.S. §§ 4137, 4138, and 4139: Criminal Contempt Powers of District Justices, Judges of the Pittsburgh Magistrates Court, and Judges of the Traffic Court of Philadelphia**

**Rule 140. Contempt Proceedings Before Magisterial District Judges, Pittsburgh Magistrates Court Judges, and Philadelphia Traffic Court Judges.**

\* \* \* \* \*

**Comment**

\* \* \* \* \*

By Orders dated November 29, 2004, 34 Pa.B. 6507 (December 11, 2004) and February 25, 2005, 35 Pa.B. 1662 (March 12, 2005), the Pennsylvania Supreme Court created an administrative judicial unit referred to as the Pittsburgh Municipal Court and assigned all matters within the jurisdiction of the Pittsburgh Magistrates Court to the Pittsburgh Municipal Court. As a result of these orders, the Pittsburgh Magistrates Court is no longer staffed while the Pittsburgh Municipal Court is staffed by Allegheny County magisterial district judges assigned on a rotating basis. The terminology is retained

in these rules because the Pittsburgh Magistrates Court, which is created by statute, has not been disestablished by the statute.

**Pursuant to Act 17 of 2013, P.L. 55, No. 17 (June 19, 2013), the jurisdiction and functions of the Philadelphia Traffic Court were transferred to the Philadelphia Municipal Court Traffic Division. The terminology is retained in these rules because the Philadelphia Traffic Court, which is created by the Pennsylvania Constitution, has not been disestablished by constitutional amendment. Hearing officers of the Philadelphia Municipal Court Traffic Division do not have contempt powers of Philadelphia Traffic Court judges under 42 Pa.C.S. § 4139.**

All contempt proceedings under this rule are to be entered on the issuing authority's miscellaneous docket, and a separate docket transcript for the contempt proceeding is to be prepared. If an appeal is taken, the issuing authority is required to forward the transcript and the contempt order to the clerk of courts. See Rule 141.

\* \* \* \* \*

**Official Note:** Rule 30 adopted October 1, 1997, effective October 1, 1998; renumbered Rule 140 and amended March 1, 2000, effective April 1, 2001; Comment revised March 26, 2004, effective July 1, 2004; amended March 1, 2012, effective July 1, 2012; **Comment revised May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

\* \* \* \* \*

Final Report explaining the **March 1, 2012** amendments concerning limitations on punishment for contempt published with the Court's Order at 42 Pa.B. 1367 (March 17, 2012).

**Final Report explaining the May 7, 2014 Comment revision concerning the transfer of the Philadelphia Traffic Court functions to the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

**Rule 141. Appeals from Contempt Adjudications by Magisterial District Judges, Pittsburgh Magistrates Court Judges, or Philadelphia Traffic Court Judges.**

\* \* \* \* \*

**Comment**

\* \* \* \* \*

By Orders dated November 29, 2004, 34 Pa.B. 6507 (December 11, 2004) and February 25, 2005, 35 Pa.B. 1662 (March 12, 2005), the Pennsylvania Supreme Court created an administrative judicial unit referred to as the Pittsburgh Municipal Court and assigned all matters within the jurisdiction of the Pittsburgh Magistrates Court to the Pittsburgh Municipal Court. As a result of these orders, the Pittsburgh Magistrates Court is no longer staffed while the Pittsburgh Municipal Court is staffed by Allegheny County magisterial district judges assigned on a rotating basis. The terminology is retained in these rules because the Pittsburgh Magistrates Court, which is created by statute, has not been disestablished by the statute.

**Pursuant to Act 17 of 2013, P.L. 55, No. 17 (June 19, 2013), the jurisdiction and functions of the Philadelphia Traffic Court were transferred to the Philadelphia Municipal Court Traffic Division. The**



terminology is retained in these rules because the Philadelphia Traffic Court, which is created by the Pennsylvania Constitution, has not been disestablished by constitutional amendment. Hearing officers of the Philadelphia Municipal Court Traffic Division do not have contempt powers of Philadelphia Traffic Court judges under 42 Pa.C.S. § 4139.

As the Pennsylvania Supreme Court stated in *Commonwealth v. McMullen*, 599 Pa. 435, 961 A.2d 842 (2008), legislative limitations on a court's power to sentence for contempt are unconstitutional.

\* \* \* \* \*

**Official Note:** Rule 31 adopted October 1, 1997, effective October 1, 1998; renumbered Rule 141 and Comment revised March 1, 2000, effective April 1, 2001; amended February 28, 2003, effective July 1, 2003; Comment revised March 26, 2004, effective July 1, 2004; amended March 1, 2012, effective July 1, 2012; **Comment revised May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

\* \* \* \* \*

Final Report explaining the **March 1, 2012** amendments regarding limitations on punishment for contempt published with the Court's Order at 42 Pa.B. 1367 (March 17, 2012).

**Final Report explaining the May 7, 2014 Comment revision concerning the transfer of the Philadelphia Traffic Court functions to the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

**Rule 142. Procedures Governing Defaults in Payment of Fine Imposed as Punishment for Contempt.**

\* \* \* \* \*

#### Comment

\* \* \* \* \*

By Orders dated November 29, 2004, 34 Pa.B. 6507 (December 11, 2004) and February 25, 2005, 35 Pa.B. 1662 (March 12, 2005), the Pennsylvania Supreme Court created an administrative judicial unit referred to as the Pittsburgh Municipal Court and assigned all matters within the jurisdiction of the Pittsburgh Magistrates Court to the Pittsburgh Municipal Court. As a result of these orders, the Pittsburgh Magistrates Court is no longer staffed while the Pittsburgh Municipal Court is staffed by Allegheny County magisterial district judges assigned on a rotating basis. The terminology is retained in these rules because the Pittsburgh Magistrates Court, which is created by statute, has not been disestablished by the statute.

Pursuant to Act 17 of 2013, P.L. 55, No. 17 (June 19, 2013), the jurisdiction and functions of the Philadelphia Traffic Court were transferred to the Philadelphia Municipal Court Traffic Division. The terminology is retained in these rules because the Philadelphia Traffic Court, which is created by the Pennsylvania Constitution, has not been disestablished by constitutional amendment. Hearing officers of the Philadelphia Municipal Court Traffic Division do not have contempt powers of Philadelphia Traffic Court judges under 42 Pa.C.S. § 4139.

For contempt procedures generally, see Rule 140.

\* \* \* \* \*

**Official Note:** Rule 32 adopted October 1, 1997, effective October 1, 1998; renumbered Rule 142 and amended March 1, 2000, effective April 1, 2001; amended March 3, 2004, effective July 1, 2004; amended March 1, 2012 effective July 1, 2012; **Comment revised May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the May 7, 2014 Comment revision concerning the transfer of the Philadelphia Traffic Court functions to the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

## CHAPTER 4. PROCEDURES IN SUMMARY CASES

### PART D. Arrest Procedures in Summary Cases

#### PART D(1). Arrests With a Warrant

**Rule 431. Procedure When Defendant Arrested With Warrant.**

\* \* \* \* \*

#### (C) Bench Warrants

\* \* \* \* \*

(2) When the defendant pays the restitution, [ **fin**es ] **fine**, and costs, or collateral pursuant to paragraph (C)(1), the police officer shall issue a receipt to the defendant setting forth the amount of restitution, fine, and costs received and return a copy of the receipt, signed by the defendant and the police officer, to the proper issuing authority.

(3) When the defendant does not pay the restitution, [ **fin**es ] **fine**, and costs, or collateral, the defendant promptly shall be taken before the proper issuing authority when available pursuant to Rule 117 for a bench warrant hearing. The bench warrant hearing may be conducted using two-way simultaneous audio-visual communication.

#### Comment

\* \* \* \* \*

For the procedures in summary cases within the jurisdiction of [ **Philadelphia Traffic Court or** ] Philadelphia Municipal Court **and the Philadelphia Municipal Court Traffic Division**, see Chapter 10.

**Official Note:** Rule 76 adopted July 12, 1985, effective January 1, 1986; Comment revised September 23, 1985, effective January 1, 1986; January 1, 1986 effective dates extended to July 1, 1986; Comment revised January 31, 1991, effective July 1, 1991; amended August 9, 1994, effective January 1, 1995; amended October 1, 1997, effective October 1, 1998; amended July 2, 1999, effective August 1, 1999; renumbered Rule 431 and amended March 1, 2000, effective April 1, 2001; amended August 7, 2003, effective July 1, 2004; Comment revised April 1, 2005, effective October 1, 2005; amended June 30, 2005, effective August 1, 2006; Comment revised March 9, 2006, effective August 1, 2006; **Comment revised May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the May 7, 2014 Comment revision changing the cross-reference to the Philadelphia Traffic Court to the Traffic Division of the**

**Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

**PART D(2). Arrests Without a Warrant**

**Rule 441. Procedure Following Arrest Without Warrant.**

\* \* \* \*

**Comment**

\* \* \* \*

For the procedures in summary cases within the jurisdiction of [ **Philadelphia Traffic Court or** ] Philadelphia Municipal Court **and the Philadelphia Municipal Court Traffic Division**, see Chapter 10.

Concerning an issuing authority's availability, see Rule 117 (Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail).

When the police must detain a defendant pursuant to this rule, 61 P. S. § 798 provides that the defendant may be housed for a period not to exceed 48 hours in "the borough and township lockups and city or county prisons."

**Official Note:** Rule 71 adopted July 12, 1985, effective January 1, 1986; Comment revised September 23, 1985, effective January 1, 1986; January 1, 1986 effective dates extended to July 1, 1986; amended August 9, 1994, effective January 1, 1995; amended May 14, 1999, effective July 1, 1999; renumbered Rule 441 and amended March 1, 2000, effective April 1, 2001; amended August 7, 2003, effective July 1, 2004; amended June 30, 2005, effective August 1, 2006; **Comment revised May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

\* \* \* \*

**Final Report explaining the May 7, 2014 Comment revision changing the cross-reference to the Philadelphia Traffic Court to the Traffic Division of the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

**PART F. Procedures in Summary Cases for Appealing to Court of Common Pleas for Trial De Novo**

**Rule 462. Trial De Novo.**

\* \* \* \*

**Comment**

\* \* \* \*

Paragraph (F) was amended in 2008 to permit a trial judge to delay imposition of sentence in order to investigate a defendant's eligibility for intermediate punishment for certain offenses, including summary violations of 75 Pa.C.S. § 1543(b) [ **(relating to driving while operating privilege is suspended or revoked)** ] (**driving while license is under a DUI-related suspension**) but only if he or she meets certain eligibility requirements, such as undergoing a drug and alcohol assessment. Potentially this information may not be available to the trial judge following a trial *de novo* at the time of sentencing.

\* \* \* \*

For the procedures for appeals from the [ **Philadelphia Traffic Court** ] **Philadelphia Municipal Court Traffic Division**, see Rule 1037.

**Official Note:** Former Rule 86 adopted July 12, 1985, effective January 1, 1986; revised September 23, 1985, effective January 1, 1986; the January 1, 1986 effective dates extended to July 1, 1986; amended February 2, 1989, effective March 1, 1989; amended March 22, 1993, effective January 1, 1994; amended October 28, 1994, effective as to cases instituted on or after January 1, 1995; amended February 27, 1995, effective July 1, 1995; amended October 1, 1997, effective October 1, 1998; amended May 14, 1999, effective July 1, 1999; rescinded March 1, 2000, effective April 1, 2001, and paragraph (G) replaced by Rule 462. New Rule 462 adopted March 1, 2000, effective April 1, 2001; amended March 3, 2000, effective July 1, 2000; amended February 28, 2003, effective July 1, 2003; Comment revised March 26, 2004, effective July 1, 2004; amended January 18, 2007, effective August 1, 2007; amended December 16, 2008, effective February 1, 2009; Comment revised October 16, 2009, effective February 1, [ **2009** ] **2010; Comment revised May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

\* \* \* \*

NEW RULE 462:

\* \* \* \*

**Final Report explaining the May 7, 2014 Comment revision changing the cross-reference to the Philadelphia Traffic Court to the Traffic Division of the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

**CHAPTER 10. RULES OF CRIMINAL PROCEDURE FOR THE PHILADELPHIA MUNICIPAL COURT AND [ THE PHILADELPHIA TRAFFIC COURT ] THE PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION**

**Rule 1000. Scope of Rules.**

(A) The rules in this chapter govern all proceedings in the Philadelphia Municipal Court, including summary cases; Municipal Court cases, as defined in Rule 1001(A); the filing of appeals from Municipal Court cases; the filing of petitions for writs of *certiorari*; and the preliminary proceedings in criminal cases charging felonies, Part A, and govern proceedings in summary traffic cases in [ **Traffic Court** ] **Municipal Court Traffic Division**, Part B.

(B) Any procedure that is governed by a statewide Rule of Criminal Procedure that is not specifically covered in Chapter 10 or by a Philadelphia local rule authorized by these rules and adopted pursuant to Rule 105 shall be governed by the relevant statewide rule.

**Comment**

The 2004 amendments make it clear that, except as otherwise provided in the rules, Chapter 10 governs all proceedings in the Philadelphia Municipal Court, including the procedures for instituting criminal cases charging felonies, preliminary arraignments, and preliminary hearings. See 42 Pa.C.S. § 1123 (Jurisdiction and Venue).

**Official Note:** Rule 6000 adopted December 30, 1968, effective January 1, 1969; amended March 28, 1973, effective March 28, 1973; amended July 1, 1980, effective August 1, 1980; renumbered Rule 1000 and amended March 1, 2000, effective April 1, 2001; amended August 24, 2004, effective August 1, 2005; amended June 30, 2005, effective August 1, 2006; amended September 9, 2005, effective February 1, 2006; **amended May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the May 7, 2014 amendments concerning the abolition of the Philadelphia Traffic Court transfer of functions to the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

**Rule 1001. Disposition of Criminal Cases—Philadelphia Municipal Court.**

\* \* \* \* \*

**Comment**

This rule, which defines “Municipal Court case,” is intended to ensure that the Municipal Court will take dispositive action, including trial and verdict when appropriate, in any criminal case that does not involve a felony, excluding summary cases under the Vehicle Code. The latter are under the jurisdiction of the [ **Philadelphia Traffic Court, see 42 Pa.C.S. §§ 1301—1303, 1321** ] **Municipal Court Traffic Division, the successor of the Philadelphia Traffic Court, see Act 17 of 2013, P. L. 55, No. 17 (June 19, 2013) and 42 Pa.C.S. §§ 102, 325, 1121, 1127, 1302, 1321.**

Paragraph (D) was added in 2007 in accord with the 1998 amendment to article I, § 6 of the Pennsylvania Constitution that provides that “the Commonwealth shall have the same right to trial by jury as does the accused.” See *Commonwealth v. Hargraves*, 883 A.2d 616 (Pa. Super. 2005), *allocatur denied*, 587 Pa. 711, 898 A.2d 1069 (2006). The filing and service requirement in paragraph (D) must be accomplished as provided in Rule 576. Once a case is bound over to Common Pleas Court, the trial judge may not remand the case to the Municipal Court for any reason, even if the right to jury trial is waived.

**Official Note:** Present Rule 6001 adopted March 28, 1973, effective March 28, 1973, replacing prior Rule 6001; amended June 28, 1974, effective July 1, 1974; paragraph (C) added February 10, 1975, effective immediately; title amended July 1, 1980, effective August 1, 1980; Comment revised January 28, 1983, effective July 1, 1983; amended June 19, 1996, effective July 1, 1996; amended August 28, 1998, effective immediately; renumbered Rule 1001 and Comment revised March 1, 2000, effective April 1, 2001; amended August 24, 2004, effective August 1, 2005; amended January 5, 2007, effective March 6, 2007; amended [ **January** ] **January 27, 2011, effective in 30 days; Comment revised May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the May 7, 2014 Comment revision the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

**PART A. Philadelphia Municipal Court Procedures  
Rule 1002. Procedure in Summary Cases.**

\* \* \* \* \*

**Comment**

\* \* \* \* \*

All summary offenses under the motor vehicle laws and parking violations are under the jurisdiction of the [ **Philadelphia Traffic Court. See 42 Pa.C.S.**

**§§ 1301—1303, 1321** ] **Municipal Court Traffic Division, the successor of the Philadelphia Traffic Court, see Act 17 of 2013, P. L. 55, No. 17 (June 19, 2013) and 42 Pa.C.S. §§ 102, 325, 1121, 1127, 1302, 1321.**

**Official Note:** Rule 6002 adopted June 28, 1974, effective July 1, 1974; amended July 1, 1980, effective August 1, 1980; Comment revised January 28, 1983, effective July 1, 1983; amended July 12, 1985, effective January 1, 1986; January 1, 1986 effective date extended to July 1, 1986; amended February 1, 1989, effective July 1, 1989; amended August 9, 1994, effective January 1, 1995; renumbered Rule 1002 and amended March 1, 2000, effective April 1, 2001. Rule 1002 rescinded August 15, 2005, effective February 1, 2006, and replaced by new Rule 1002; amended May 6, 2009, effective February 1, 2010; Comment revised February 12, 2010, effective April 1, 2010; amended December 22, 2010, effective February 20, 2011; **Comment revised May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

\* \* \* \* \*

**Final Report explaining the December 22, 2010 amendments published with the Court's Order at 41 Pa.B. 216 (January 8, 2011).**

**Final Report explaining the May 7, 2014 Comment revisions concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

**Part B. Philadelphia [ **Traffic Court** ] Municipal Court  
Traffic Division Procedures****Rule 1030. Scope of Summary [ **Traffic Court** ] Municipal Court Traffic Division Rules.**

Except as provided in these rules or by local rule authorized by these rules, or elsewhere in Chapter 10, all criminal proceedings in which a person is accused of one or more summary traffic offenses only or violations of municipal traffic ordinances shall proceed as provided in Chapter 4 of the Rules of Criminal Procedure.

**Comment**

These rules were developed in 2005 to accommodate the procedures Philadelphia Traffic Court [ **has** ] implemented to address the issues in summary traffic cases unique to Philadelphia, to more efficiently handle the vast number of summary traffic cases, and to protect the defendants' rights to a fair and prompt disposition of their cases.

**The jurisdiction and functions of the Philadelphia Traffic Court were transferred to the Philadelphia Municipal Court Traffic Division in 2013, see Act 17 of 2013, P. L. 55, No. 17 (June 19, 2013) and 42 Pa.C.S. §§ 102, 325, 1121, 1127, 1302, 1321.**

See Rule 105 for the procedures for promulgating local rules.

**Official Note:** Adopted September 9, 2005, effective February 1, 2006; **amended May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

**Final Report explaining the provisions of the new rule published with the Court's Order at 35 Pa.B. 5242 (September 24, 2005).**



**Final Report explaining the May 7, 2014 Comment revision concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

**Rule 1031. Institution of Proceedings in Summary Traffic Cases.**

(A) Summary traffic cases in Philadelphia shall be instituted by:

(1) issuing a citation to the defendant as provided in Rules 405—409;

(2) filing a citation with the [ **Traffic Court** ] **Philadelphia Municipal Court Traffic Division** as provided in Rules 410—414; or

(3) arresting without a warrant when arrest is specifically authorized by law as provided in Rules 440 and 441.

(B) [ **The Administrative Judge of Traffic Court, or in the event the position of Administrative Judge is vacant, the Traffic Court President Judge, may provide by local rule, as an exception to the trial notice procedures in Rule 408(B), when a citation is issued to the defendant as provided in Rule 405, that the law enforcement officer also shall give the defendant written notice of the date and time and location set for the summary trial.** ] When provided by local rule as an exception to the trial notice procedures in Rule 408(B), the law enforcement officer also shall give the defendant written notice of the date and time and location set for the summary trial when a citation is issued to the defendant as provided in Rule 405.

\* \* \* \* \*

**Official Note:** Adopted September 9, 2005, effective February 1, 2006; **amended May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

Final Report explaining the provisions of the new rule published with the Court's Order at 35 Pa.B. 5242 (September 24, 2005).

**Final Report explaining the May 7, 2014 amendments concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

**Rule 1032. Pleas in Response to Citation.**

In addition to the procedures in Rules 407 and 412 for entering a plea in a summary traffic case, the defendant, by means of electronic transmission as provided by local rule, may notify the [ **Traffic Court** ] **Municipal Court Traffic Division** of his or her plea, and either pay the [ **fin** ] **fine** and costs or post the requisite collateral.

**Comment**

See Rule 105 for the procedures for promulgating local rules.

**Official Note:** Adopted September 9, 2005, effective February 1, 2006; **amended May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

Final Report explaining the provisions of the new rule published with the Court's Order at 35 Pa.B. 5242 (September 24, 2005).

**Final Report explaining the May 7, 2014 amendments concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

**Rule 1033. Procedures When Defendant Arrested with Warrant.**

(A) When a defendant is arrested pursuant to a warrant issued as provided in Rule 430, the police officer without unnecessary delay shall take the defendant before the proper issuing authority and shall proceed as provided in this rule and by local rule.

(B) When the defendant appears in person or appears by means of two-way simultaneous audio-video equipment, the judge or [ **bail commissioner** ] **arraignment court magistrate** shall:

(1) inform the defendant concerning the specific citations to which the defendant has not entered a plea as required by Rules 407 and 412;

(2) inform the defendant concerning the specific citations that have been adjudicated that have outstanding fines or costs for which the defendant is in default of a payment order or a payment plan; and

(3) advise the defendant of the right to retain counsel, and if, in the event of a conviction, there is a reasonable likelihood of a sentence of imprisonment and the defendant does not have the financial ability to retain counsel, advise the defendant that counsel will be appointed by Traffic [ **Court** ] **Division** as provided in Rule 1035.

(C) When the defendant appears before [ **a bail commissioner, the bail commissioner** ] **an arraignment court magistrate, the arraignment court magistrate** shall schedule the next court proceeding before the Traffic [ **Court** ] **Division** and give the defendant a hearing notice or subpoena, set collateral as provided in Rule 1034 and local rule, and release the defendant, or if the defendant is unable to post the collateral, commit the defendant.

(D) When the defendant appears before a Traffic [ **Court judge** ] **Division judge or hearing officer,**

(1) if the matter is not ready to proceed, the Traffic [ **Court judge** ] **Division judge or hearing officer** shall schedule the next court proceeding and give the defendant a scheduling order, set collateral as provided in Rule 1034 and local rule, and release the defendant, or if the defendant is unable to post the collateral, commit the defendant.

(2) If the matter is ready to proceed,

(a) when the defendant is arrested pursuant to a warrant issued as provided in Rule 430(A) or (B)(1)(a) or (B)(2), the defendant shall enter a plea. If the defendant pleads guilty, the Traffic [ **Court judge** ] **Division judge or hearing officer** shall impose sentence. If the defendant pleads not guilty, the summary trial shall be conducted.

(b) When the defendant is arrested following a trial *in absentia* pursuant to a warrant issued as provided in Rule 430(B)(3)(c) and (B)(4),

(i) the Traffic [ **Court judge** ] **Division judge or hearing officer** shall conduct an immediate hearing to determine defendant's financial ability to pay the full amount due.

(ii) If the Traffic [ **Court judge** ] **Division judge or hearing officer** determines the defendant is financially unable to pay the full amount due, the judge may order an installment payment plan as provided in Rule 456(C)(2).

(iii) If the judge **or hearing officer** determines the defendant is financially able to pay the full amount due, and that there is a likelihood that imprisonment will be imposed at the conclusion of the hearing, the judge **or hearing officer** shall advise the defendant of the right to retain counsel, and, if the defendant does not have the financial ability to retain counsel, advise the defendant that counsel will be appointed by Traffic [ **Court** ] **Division** as provided in Rule 1035. A hearing may be held if retained or appointed counsel is available; otherwise, the hearing shall be rescheduled for a date certain, and the defendant shall be released on collateral as provided in Rule 1034.

(iv) At the conclusion of the hearing, the Traffic [ **Court judge** ] **Division judge or hearing officer** shall proceed as provided in Rule 456(C)(3).

(c) When the defendant is arrested after defaulting on the payment of fine or costs or restitution pursuant to a warrant issued as provided in Rule 430(B)(3)(b) and (B)(4),

(i) the Traffic [ **Court judge** ] **Division judge or hearing officer** shall conduct an immediate hearing to determine whether the defendant is financially able to pay the outstanding [ **fin** ] **fine** and costs as previously ordered.

(ii) If the judge **or hearing officer** determines the defendant is financially unable to pay as previously ordered, the judge may issue a revised payment order or payment plan.

(iii) If the judge **or hearing officer** determines the defendant is financially able to pay as previously ordered, and that there is a likelihood that imprisonment will be imposed at the conclusion of the hearing, the judge shall advise the defendant of the right to retain counsel, and if the defendant does not have the financial ability to retain counsel, advise the defendant that counsel will be appointed by Traffic [ **Court** ] **Division** as provided in Rule 1035. A hearing may be held if retained or appointed counsel is available; otherwise, the hearing shall be rescheduled for a date certain, and the defendant shall be released on collateral as provided in Rule 1034.

(iv) At the conclusion of the hearing, the Traffic [ **Court judge** ] **Division judge or hearing officer** shall proceed as provided in Rule 456(C)(3).

(d) When the defendant is arrested on multiple warrants in cases involving both unadjudicated citations and adjudicated citations with outstanding balances, the matter shall proceed as provided in paragraph (D)(2)(a) (summary trial), or paragraphs (D)(2)(b) or (D)(2)(c) (default hearings). These cases may be joined and the proceeding scheduled before the same Traffic [ **Court judge** ] **Division judge or hearing officer**.

#### Comment

Pursuant to Philadelphia Municipal Court Local Rule 540 and Traffic [ **Court** ] **Division** Local Rule 1033, when a defendant is arrested outside the normal business hours of Traffic [ **Court** ] **Division**, the defendant is to be taken without unnecessary delay before a Philadelphia

Municipal Court [ **bail commissioner** ] **arraignment court magistrate** who shall proceed as provided in paragraph (C) and in Traffic [ **Court** ] **Division** Local Rule 1033.

“Proper issuing authority” as used in this rule is the [ **traffic court judge or bail commissioner** ] **Traffic Division judge or arraignment court magistrate** assigned to conduct these proceedings as provided in this rule, Municipal Court Local Rule 540, and Traffic [ **Court** ] **Division** Local Rule 1033.

For the procedures for contempt proceedings in Traffic [ **Court** ] **Division** cases, see Rules 140, 141, and 142.

For the summary appeal procedures, see Rules 460, 461, and 462.

See Rule 105 for the procedures for promulgating local rules.

**Official Note:** Adopted September 9, 2005, effective February 1, 2006; **amended May 7, 2014, effective immediately.**

#### *Committee Explanatory Reports:*

Final Report explaining the provisions of the new rule published with the Court’s Order at 35 Pa.B. 5242 (September 24, 2005).

**Final Report explaining the May 7, 2014 amendments concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published with the Court’s Order at 44 Pa.B. 3065 (May 24, 2014).**

#### **Rule 1034. Collateral.**

(A) Except as provided in this rule, the procedures for collateral shall be as provided in Rule 452.

(B) When determining the amount of collateral, if any,

(1) if the defendant does not have a prior history of failure to appear for scheduled hearings, or there are other reasonable grounds to believe that the defendant will appear, or the defendant is without adequate resources to deposit collateral, the Traffic [ **Court judge or bail commissioner** ] **Division judge, hearing officer or arraignment court magistrate** shall consider releasing the defendant on his or her own recognizance, or sign own bail (“SOB”), or on a nominal amount of collateral.

(2) If the defendant has a prior history of failing to appear for Traffic [ **Court** ] **Division** scheduled hearings, and notice of the hearings was served personally on defendant, the Traffic [ **Court judge or bail commissioner** ] **Division judge, hearing officer or arraignment court magistrate** may set collateral in an amount not to exceed the collateral that may be required for the payment of defendant’s unadjudicated citations and the balance of outstanding fines and costs owed on adjudicated citations.

#### **Comment**

When the collateral is set in a monetary amount, the Traffic [ **Court judge or bail commissioner** ] **Division judge, hearing officer or arraignment court magistrate** may permit the defendant to be released from custody when 10% of the amount has been posted.

When determining the amount of collateral to set in paragraph (B)(2), the judge [ **or bail commissioner** ], **hearing officer or arraignment court magistrate** must take into consideration the defendant’s financial

resources and ability to post the amount set. The amount of collateral must be reasonable.

See Rule 105 for the procedures for promulgating local rules.

**Official Note:** Adopted September 9, 2005, effective February 1, 2006; **amended May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

Final Report explaining the provisions of the new rule published with the Court's Order at 35 Pa.B. 5242 (September 24, 2005).

**Final Report explaining the May 7, 2014 amendments concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

**Rule 1035. Appointment of Counsel.**

(A) When the Traffic [ Court judge ] Division judge or hearing officer has preliminarily determined that there is a likelihood that imprisonment will be imposed at the conclusion of a summary traffic proceeding,

(1) a hearing may be held if retained or appointed counsel is available; or

(2) if the defendant is without financial resources or is otherwise unable to employ counsel, the judge shall continue the proceeding, issue a scheduling order, and either appoint counsel or direct the defendant to report for a financial interview to determine eligibility to court-appointed counsel.

(B) When the defendant reports for the financial interview to determine eligibility to court-appointed counsel, the defendant shall provide supporting documentation, such as a driver's license, a DPW card, pay stubs, and any other relevant information. Upon review of the information provided by the defendant during the financial interview, the Traffic [ Court judge ] Division judge or hearing officer shall enter an appropriate order.

(C) Counsel's appointment shall terminate at the conclusion of the Traffic [ Court ] Division proceeding, unless the Traffic [ Court ] Division judge sentences the defendant to a period of incarceration, in which case, counsel's appointment shall continue through any appeal for a trial *de novo* in the [ court of common pleas ] Court of Common Pleas.

(D) At the time a sentence is imposed that includes a period of incarceration, if the defendant is represented by private counsel, the Traffic [ Court ] Division judge shall advise the defendant that, in the event private counsel ceases to represent the defendant after the imposition of the sentence and before the sentence is carried out, if the defendant is unable to afford counsel, he or she has the right to have counsel appointed to represent the defendant to file an appeal for a trial *de novo*, and if appointed, counsel's appointment shall continue through the trial *de novo* in the [ court of common pleas ] Court of Common Pleas.

**Comment**

No defendant may be sentenced to imprisonment or probation if the right to counsel was not afforded at trial. See *Alabama v. Shelton*, 535 U.S. 654 [ , 122 S.Ct. 1764, 152 L.Ed.2d 888 ] (2002), *Scott v. Illinois*, 440 U.S. 367 [ ,

99 S.Ct. 1158, 59 L.Ed.2d 383 ] (1979), and *Argersinger v. Hamlin*, 407 U.S. 25 [ , 92 S.Ct. 2006, 32 L.Ed.2d 530 ] (1972).

See Rules 460, 461, and 462 for the procedures for summary case appeals.

**Official Note:** Adopted September 9, 2005, effective February 1, 2006; **amended May 7, 2014, effective immediately.**

*Committee Explanatory Reports:*

Final Report explaining the provisions of the new rule published with the Court's Order at 35 Pa.B. 5242 (September 24, 2005).

**Final Report explaining the May 7, 2014 amendments concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

**Rule 1036. Traffic Court Hearing Officers. (Rescinded).**

[ (A) The Administrative Judge of Traffic Court, or in the event the position of Administrative Judge is vacant, the President Judge of Traffic Court, may appoint Traffic Court hearing officers to conduct post-hearing proceedings, including but not limited to, establishing or re-establishing payment plans, monitoring compliance with payment plans, holding warrant hearings, and performing additional duties as may be identified by local rule.

(B) The Administrative Judge by local rule shall establish the qualifications and educational requirements for the position of Traffic Court hearing officer.

**Comment**

See Pa.R.Crim.P. 105 for the procedures for promulgating local rules. ]

**Official Note:** Adopted September 9, 2005, effective February 1, 2006; **rescinded and replaced by new Rule 1036.**

*Committee Explanatory Reports:*

Final Report explaining the provisions of the new rule published with the Court's Order at 35 Pa.B. 5242 (September 24, 2005).

**Final Report explaining the May 7, 2014 rescission of Rule 1036 and adoption of new Rule 1036 published with the Court's Order at 44 Pa.B. 3065 (May 24, 2014).**

(Editor's Note: The following rule is new and printed in regular type to enhance readability.)

**Rule 1036. Philadelphia Municipal Court Traffic Division Hearing Officers.**

(A) As provided in this rule, Philadelphia Municipal Court Traffic Division hearing officers may be appointed to hear cases and issue adjudications in connection with prosecutions for summary offenses arising under Title 75 (relating to vehicles) and ordinances enacted pursuant to Title 75.

(1) Hearing officers are "issuing authorities" only for purposes of conducting summary trials, accepting pleas, conducting trials *in absentia*, setting collateral, and conducting post-trial proceedings, including but not limited to, establishing or re-establishing payment plans, moni-



toring compliance with payment plans, holding warrant hearings, and performing additional duties as may be identified by local rule.

(2) Hearing officers shall not conduct summary trials or hearings if there is a likelihood that imprisonment will be imposed at the conclusion of a summary traffic proceeding.

(B) The Philadelphia Municipal Court Traffic Division by local rule shall establish the qualifications and educational requirements for the position of Traffic Division hearing officer.

(C) The Code of Conduct for Employees of the Unified Judicial System shall be applicable to the Philadelphia Municipal Court Traffic Division hearing officers.

#### Comment

The position of “*Philadelphia Municipal Court Traffic Division hearing officer*” was established by legislation in 2013 as part of the transfer of jurisdiction and functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court Traffic Division. *See* Act 17 of 2013, P. L. 55, No. 17 (June 19, 2013) and 42 Pa.C.S. §§ 102, 325, 1121, 1127, 1302, 1321.

**Official Note:** New Rule 1036 adopted May 7, 2014, effective immediately.

#### Committee Explanatory Reports:

Final Report explaining new Rule 1036 concerning hearing officers of the Philadelphia Municipal Court Traffic Division published with the Court’s Order at 44 Pa.B. 3065 (May 24, 2014).

#### Rule 1037. Appeal from Summary Conviction.

(A) When a defendant appeals after the entry of a guilty plea or a conviction in any **Traffic Division** summary proceeding [ **in the Philadelphia Traffic Court** ], upon the filing of the transcript and other papers by the Traffic [ **Court** ] **Division**, the Court of Common Pleas may schedule a status or settlement conference prior to the *de novo* summary trial.

(1) In the event the attorney for the Commonwealth or a designee and the defendant reach a negotiated plea, the plea may be entered before a Trial Commissioner and, upon approval by a judge of the Court of Common Pleas, the negotiated sentence will be recorded.

(2) In the event a negotiated plea is not approved by the court, the case shall be heard *de novo* by a judge of the Court of Common Pleas sitting without a jury.

(B) The attorney for the Commonwealth may appear and assume charge of the prosecution. When no attorney appears on behalf of the Commonwealth, the affiant may be permitted to ask questions of any witness who testifies.

(C) In appeals from **Traffic Division** summary proceedings [ **in the Philadelphia Traffic Court** ], the law enforcement officer who observed the alleged offense must appear and testify. The failure of a law enforcement officer to appear and testify shall result in the dismissal of the charges unless:

(1) the defendant waives the presence of the law enforcement officer in open court on the record;

(2) the defendant waives the presence of the law enforcement officer by filing a written waiver signed by the defendant and defense counsel, or the defendant if proceeding *pro se*, with the clerk of courts; or

(3) the trial judge determines that good cause exists for the law enforcement officer’s unavailability and grants a continuance.

(D) If the defendant fails to appear for the trial *de novo*,

(1) when the appeal is from a mandatory sentence of imprisonment, the Court of Common Pleas judge shall dismiss the appeal, enter judgment in the Court of Common Pleas on the judgment of the Traffic [ **Court** ] **Division** judge, and issue a bench warrant and a commitment for the defendant. Execution of the sentence shall commence immediately upon defendant’s arrest; and

(2) in all other cases, the Common Pleas Court judge shall dismiss the appeal and enter the judgment in the Court of Common Pleas on the judgment of the Traffic [ **Court judge** ] **Division judge or hearing officer**.

(E) If the defendant withdraws the appeal, the Court of Common Pleas judge shall enter the judgment in the Court of Common Pleas on the judgment of the Traffic [ **Court judge** ] **Division judge or hearing officer**.

(F) At the time of sentencing, the Court of Common Pleas judge shall:

(1) if the defendant’s sentence includes a fine or costs and the defendant has the financial means to pay the amount in a single remittance, the judge shall instruct the defendant to make the payment at the Philadelphia [ **Traffic Court** ] **Municipal Court Traffic Division**. If the defendant is without the financial means to pay the amount in a single remittance, the judge shall instruct the defendant to contact the [ **Philadelphia Traffic Court** ] **Traffic Division** to establish an installment payment plan;

(2) advise the defendant of the right to appeal to the Superior Court within 30 days of the imposition of sentence, and that, if an appeal is filed, the execution of sentence will be stayed and the judge may set bail;

(3) if a sentence of imprisonment has been imposed, direct the defendant to appear for the execution of sentence on a date certain unless the defendant files a notice of appeal within the 30-day period; and

(4) issue a written order imposing sentence, signed by the judge. The order shall include the information specified in paragraphs (F)(1)–(3), and a copy of the order shall be given to the defendant and to the Traffic [ **Court** ] **Division**.

(G) After sentence is imposed by the Court of Common Pleas judge, and either after the expiration of the time to file an appeal to the appellate courts, or, if a sentence of imprisonment has been imposed, after the execution of the sentence of imprisonment, the case shall be returned to the [ **Philadelphia Traffic Court** ] **Traffic Division** for the collection of any outstanding [ **fin**es ] **fine** and costs and for all other appropriate action.

#### Comment

This rule was adopted in 2009 to provide the procedures for appeals from the [ **Philadelphia Traffic Court** ] **Traffic Division** to the Court of Common Pleas of the First Judicial District. Except as provided in this rule, the procedures of Rules 460, 461, and 462, governing appeals for a trial *de novo* in summary cases, shall apply to summary case appeals [ **in the Philadelphia Traffic Court** ] **Traffic Division**.

For purposes of this rule, “judgment” means the determination of guilty and any sentence imposed on the defendant.

The date upon which payment is due upon a sentence of a fine or costs ordinarily will be 30 days following imposition of sentence.

**Official Note:** Rule 1037 adopted October 16, 2009, effective February 1, [ 2009 ] 2010; amended May 7, 2014, effective immediately.

*Committee Explanatory Reports:*

Final Report explaining new Rule 1037 concerning procedures for the appeal from the Philadelphia Traffic Court published with the Court’s Order at 39 Pa.B. 6327 (October 31, 2009).

**Final Report explaining the May 7, 2014 amendments concerning the transfer of functions from the Philadelphia Traffic Court to the Philadelphia Municipal Court published with the Court’s Order at 44 Pa.B. 3065 (May 24, 2014).**

**FINAL REPORT<sup>1</sup>**

***New Rule 1036; Amendments of Pa.Rs.Crim.P. 105, 1000, 1030, 1031, 1032, 1033, 1034, 1035, 1037; Revisions to the Comments to Pa.Rs.Crim.P. 103, 140, 141, 431, 441, 462, 1001, 1002***

**Rule Changes in Light of the Abolition of the Philadelphia Traffic Court**

On May 7, 2014, effective immediately, upon the recommendation of the Criminal Procedural Rules Committee, the Court approved the rescission of current Rule 1036 and the adoption of new Rule 1036, the amendment of Rules 105, 1000, 1030, 1031, 1032, 1033, 1034, 1035, and 1037 and the revision of the Comments to Rules 103, 140, 141, 142, 431, 441, 462, 1001, and 1002 to accommodate the changes to the manner in which traffic offenses are disposed in the First Judicial District in light of the effective abolition of the Philadelphia Traffic Court and the transfer of that court’s functions to the Traffic Division of the Philadelphia Municipal Court.

On June 19, 2013, Act 17 of 2013 was signed into law by the Governor, effectively abolishing the Philadelphia Traffic Court.<sup>2</sup> By the terms of the Act, most of its functions have been transferred to a new Traffic Division of the Philadelphia Municipal Court. Given that there are numerous statewide rules that discuss procedures in the Traffic Court, correlative changes were necessary. Additionally, certain structural changes, particularly the creation of the new office of hearing officer of the Municipal Court Traffic Division, are incorporated into the rules.

The following rules listed below are affected by this change. Following each rule title is a brief description of the nature of the amendments that have been adopted to accommodate the changes resulting from the Act:

**103 (Definitions)**

A cross-reference to new Rule 1036 regarding the limited definition of hearing officer as an “issuing authority” under that rule has been added to the Rule 103 Comment;

**105 (Local Rules)**

Changes the reference to “Traffic Court” in the rule text to conform with the abolition of Traffic Court;

**140 (Contempt Proceedings before Magisterial District Judges, Pittsburgh Magistrates Court Judges, and Philadelphia Traffic Court Judges)**

Adds language to the Comment regarding the abolition of the Traffic Court and its impact on contempt powers;

**141 (Appeals from Contempt Adjudications Before Magisterial District Judges, Pittsburgh Magistrates Court Judges, and Philadelphia Traffic Court Judges)**

Adds language to the Comment regarding the abolition of the Traffic Court and its impact on contempt powers;

**142 (Procedures Governing Defaults in Payment of Fine Imposed as Punishment for Contempt)**

Adds language to the Comment regarding the abolition of the Traffic Court and its impact on contempt powers;

**431 (Procedures When Defendant Arrested with Warrant)**

Changes the reference to “Traffic Court” in the Comment to conform with the abolition of Traffic Court;

**441 (Procedures Following Arrest Without Warrant)**

Changes the reference to “Traffic Court” in the Comment to conform with the abolition of Traffic Court;

**462 (Trial De Novo)**

Changes the reference to “Traffic Court” in the Comment to conform with the abolition of Traffic Court;

**Chapter 10 (Rules of Criminal Procedure for the Philadelphia Municipal Court and the Philadelphia Traffic Court)**

Changes the title of the Chapter;

**1000 (Scope of Rules)**

Changes the reference to “Traffic Court” in the rule text to conform with the abolition of Traffic Court;

**1001 (Disposition of Criminal Cases—Philadelphia Municipal Court)**

Changes the reference to “Traffic Court” in the Comment to conform with the abolition of Traffic Court;

**1002 (Procedures in Summary Cases)**

Changes the reference to “Traffic Court” in the Comment to conform with the abolition of Traffic Court;

**Chapter 10 Part B (Philadelphia Traffic Court Procedures)**

Changes the title of the Part;

**1030 (Scope of Summary Traffic Court Rules)**

Changes the Rule title and adds a Comment provision regarding the abolition of the Traffic Court and transfer of function and jurisdiction to the Traffic Division;

**1031 (Institution of Proceedings in Summary Traffic Cases)**

Reorganizes the structure of paragraph (A) of the rule to remove references to the Administrative Judge of Traffic Court;

**1032 (Pleas in Response to Citation)**

Changes the court’s name in the rule text;

**1033 (Procedures When Defendant Arrested with Warrant)**

Changes the court’s name and the terminology of the presiding officers in the rule text and Comment;

**1034 (Collateral)**

Changes the court’s name and the terminology of the presiding officers in the rule text and Comment;

<sup>1</sup> The Committee’s Final Reports should not be confused with the official Committee Comments to the rules. Also note that the Supreme Court does not adopt the Committee’s Comments or the contents of the Committee’s explanatory Final Reports.

<sup>2</sup> As the Philadelphia Traffic Court is provided in the Pennsylvania Constitution, a constitutional amendment will be necessary before the Traffic Court is formally abolished in its entirety. That process is ongoing as of the date of this Order.

*1035 (Appointment of Counsel)*

Changes the court's name and the terminology of the presiding officers in the rule text;

*1036 (Traffic Court Hearing Officers)*

New rule describing appointment, qualifications, and duties of Traffic Division Hearing Officers;

*1037 (Appeals from Summary Convictions)*

Changes the court's name and the terminology of the presiding officers in the rule text and Comment.

The majority of the rule changes are correlative changes to terminology resulting from the transfer of the Traffic Court functions to the Traffic Division of the Philadelphia Municipal Court.

However, one significant change is the creation of the office of hearing officer of the Philadelphia Municipal Court Traffic Division. The position was created by Act 17 as the primary officer for proceedings before the Traffic Division. The Committee has worked closely with representatives of the First Judicial District, the Administrative Office of the Pennsylvania Courts, and the Minor Judiciary Education Board to develop the rules defining this new position. As a result of these efforts, original Rule 1036, which provided for the hearing officers of the Philadelphia Traffic Court, has been rescinded and replaced by a new Rule 1036 that provides for the appointment, qualifications, and duties of Philadelphia Municipal Court Traffic Division hearing officers.

As set forth in the Rule 1036 Comment, hearing officers are defined as "issuing authorities" for the limited purposes of the proceedings in the Traffic Division. These hearing officers are required to follow the Pennsylvania Rules of Criminal Procedure and the correlative local rules, except that they are precluded from conducting trials or hearings in which there is a likelihood of imprisonment. Consistent with Act 17, hearing officers may be either lawyers or non-lawyers. Rule 1036 mandates that the hearing officers be governed by the Code of Conduct for Employees of the Unified Judicial System. Finally, the new rule provides that the responsibility for hearing officer training would be developed by local rule, which is consistent with Act 17.

[Pa.B. Doc. No. 14-1079. Filed for public inspection May 23, 2014, 9:00 a.m.]

## Title 249—PHILADELPHIA RULES

### PHILADELPHIA COUNTY

#### Amendment of Philadelphia Municipal Court Local Criminal Rule 540; President Judge Administra- tive Order No. 1 of 2014

##### Order

And Now, this 9th day of May, 2014, the Board of Judges of the Philadelphia Municipal Court having voted, at the Board of Judges' meeting held on May 9, 2014, to amend Philadelphia Municipal Court Local Criminal Rule 540, *It Is Hereby Ordered* that Philadelphia Municipal Court Local Criminal Rule 540 is amended as follows.

As required by Pa.R.Crim.P. No. 105(D), the proposed amended rule has been submitted to the Supreme Court's

Criminal Procedural Rules Committee for review and written notification has been received from the Committee certifying that the proposed amended rule is not inconsistent with any general rule of the Supreme Court. The original Administrative Order and amended local rule shall be filed with the Office of Judicial Records in a docket maintained orders issued by the President Judge of the Philadelphia Municipal Court, and, as required by Pa.R.Crim.P. No. 105(E), two certified copies of this Administrative Order and amended local rule as well as a copy on a computer diskette shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. The amendment to Philadelphia Municipal Court Local Criminal Rule 540 will become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. As required by Pa.R.Crim.P. No. 105(F) one certified copy of this General Court Regulation and amended local rules shall be filed with the Administrative Office of Pennsylvania Courts and the local rule will also be published on the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx> and posted on the First Judicial District's website at <http://courts.phila.gov>. Copies of this Order and amended local rules shall be published in *The Legal Intelligencer* and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

*By the Court*

HONORABLE MARSHA H. NEIFIELD,  
*President Judge*  
*Philadelphia Municipal Court*

#### Philadelphia Municipal Court Local Criminal Rule 540

A. Procedure When a Defendant **Is** Arrested Pursuant to Traffic [ **Court** ] **Division** Warrants When the Traffic [ **Court** ] **Division** is Closed.

1. The defendant shall be taken without unnecessary delay to a Philadelphia Police Offender Processing site or county prison. The defendant shall be identified, and the outstanding warrant(s) and total amount of any fine and costs owed shall be confirmed.

2. The defendant shall appear before [ **the Bail Commissioner** ] **an Arraignment Court Magistrate** by means of two-way simultaneous audio-video equipment for a warrant hearing. The proceeding before the [ **Bail Commissioner** ] **Arraignment Court Magistrate** shall be as set forth below in paragraph (B).

B. Proceeding Before the [ **Bail Commissioner** ] **Arraignment Court Magistrate**. Warrant Hearing. Scheduling of Traffic [ **Court** ] **Division** proceeding.

1. The [ **Bail Commissioner** ] **Arraignment Court Magistrate** shall determine whether the defendant should be released pending the next Traffic [ **Court** ] **Division** hearing, and if so, whether collateral must be posted by the defendant to secure defendant's release pending the next Traffic [ **Court** ] **Division** hearing. If the [ **Bail Commissioner** ] **Arraignment Court Magistrate** determines that collateral must be posted, the [ **Bail Commissioner** ] **Arraignment Court Magistrate** shall set collateral as provided in Pa.R.Crim.P. 1034.

2. The [ **Bail Commissioner** ] **Arraignment Court Magistrate** shall schedule a hearing before the Traffic [ **Court** ] **Division** using a Subpoena/Commitment form.



3. The defendant shall sign the Subpoena/Commitment form and shall be given a copy.

4. If the posting of collateral is ordered and is not posted by or on behalf of the defendant, the defendant shall be brought to the county prison and shall be brought down for the scheduled Traffic [ Court ] Division proceeding. Provided, however, that the defendant shall be released promptly upon the posting of the collateral set by the [ Bail Commissioner ] Arraignment Court Magistrate.

5. At the conclusion of the hearing, the [ Bail Commissioner ] Arraignment Court Magistrate shall direct that all outstanding Traffic [ Court ] Division warrants against the defendant be withdrawn.

*Comment:* Consistent with Pa.R.Crim.P. 1034 the [ Bail Commissioner ] Arraignment Court Magistrate shall set collateral in a reasonable amount, i.e. an amount which upon consideration of the defendant's income and the defendant's expenses may be reasonably posted by the defendant. It is the intention of the court that most, if not all, defendants will be released pending the date of the summary trial or hearing. However, should the records of the Traffic [ Court records ] Division disclose that the defendant has a history of failure to appear for Traffic [ Court ] Division summary trials or hearings, especially after personal service of the notice of trial or scheduling order, the [ Bail Commissioner ] Arraignment Court Magistrate may direct that the defendant be held until the summary trial or hearing date and may be released only upon payment of the full amount of collateral or outstanding fines. Should the defendant be ordered held until the date of the summary trial or hearing, the summary trial or hearing should be scheduled as soon as practical.

*Note:* Amended by the Municipal Court Board of Judges on January 18, 2006, effective on March 1, 2006; amended May 9, 2014, and effective on , 2014.

[Pa.B. Doc. No. 14-1080. Filed for public inspection May 23, 2014, 9:00 a.m.]

## PHILADELPHIA COUNTY

### Order Rescinding and Replacing Philadelphia Traffic Court Local Rule 1036 and Adopting New Municipal Court Traffic Division Local Rules 1036 and 1037, and Amending Current Traffic Court Local Rules 106, 120, 121, 454, 1030, 1031, 1032, 1033, 1034 and 1035; Administrative Order No. 01 of 2014

#### Order

*And Now*, this 8th day of May, 2014, upon consideration of the order of the Supreme Court of Pennsylvania dated May 7, 2014, which rescinded and replaced Pa.R.Crim.P. 1036 and adopted new Pa.R.Crim.P. 1036, amended Pa.Rules Crim.P. 105, 1000, 1030, 1031, 1032, 1033, 1034, 1035, and 1037 and approved the revision of the Comments to Pa.Rules Crim.P. 103, 140, 141, 142, 431, 441, 462, 1001, and 1002 in order to implement the provisions of Act 17 of 2013, it is hereby *Ordered, Adjudged and Decreed* that the previously referenced

Philadelphia Traffic Court Local Rules are rescinded, adopted and amended as set forth in the following exhibit.

This Administrative Order is issued in accordance with the April 11, 1986 order of the Supreme Court of Pennsylvania, Eastern District, No. 55 Judicial Administration, Docket No. 1; and with the March 26, 1996 order of the Supreme Court of Pennsylvania, Eastern District, No. 164 Judicial Administration, Docket No. 1, as amended. As required by Pa.R.Crim.P. No. 105(D), this Order has been submitted to the Supreme Court's Criminal Procedural Rules Committee for review and written notification has been received from the Committee certifying that the rules adopted or amended by this Order are not inconsistent with any general rule of the Supreme Court. This Order shall be filed with the Office of Judicial Records in a docket maintained for Orders issued by the First Judicial District of Pennsylvania, and, as required by Pa.R.Crim.P. No. 105(E), two certified copies of this Order and a copy on a computer diskette, shall be distributed to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*. This Order will become effective thirty (30) days after publication in the *Pennsylvania Bulletin*. As required by Pa.R.Crim.P. No. 105(F) one certified copy of this Order shall be filed with the Administrative Office of Pennsylvania Courts and will also be published on the Unified Judicial System's web site at <http://ujportal.pacourts.us/localrules/ruleselection.aspx> and posted on the First Judicial District's website at <http://courts.phila.gov>. Copies shall be published in *The Legal Intelligencer* and will be submitted to American Lawyer Media, Jenkins Memorial Law Library, and the Law Library for the First Judicial District.

*By the Court*

HONORABLE GARY S. GLAZER,  
*Administrative Judge*  
*Traffic Division*

### Philadelphia Municipal Court Traffic Division Local Rules

#### Local Rule 106. Continuance Policy.

(a) *General Rule.* All continuance requests shall:

(1) be in writing, on a court-approved form substantially in the format set forth below;

(2) include the citation number and the date, time, and, if applicable, the courtroom it is listed for; and

(3) specifically state the reasons for the request.

Documentation substantiating the request for the continuance (i.e. proof of necessary hospitalization, pre-paid vacation, military service, etc.) must be submitted.

(b) *Timing of request.* All requests for continuance must be received by the Philadelphia Municipal Court Traffic Division at least 48 hours before the date set for the trial or hearing. A later request shall only be granted if the defendant or defendant's attorney of record establishes that the cause for the continuance request did not previously exist, or that the defendant was not aware of the grounds for the request, or the interests of justice require it.

(c) *Address Where Continuance Requests are to Be Mailed or Delivered.* All requests for continuances are to be mailed or delivered to the Philadelphia Municipal Court Traffic Division, 800 Spring Garden, Philadelphia,

PA 19123. All requests for continuances shall be assigned to the Administrative Judge or his/her designee who shall rule on the request, in writing, and shall state the reasons for the grant or denial of the continuance.

(d) *Requests For Continuance on the Trial Date.* All requests for continuances on the day of the summary trial or hearing shall be in writing, on the court-approved form, and shall be presented to the presiding judge or Traffic Division hearing officer. All such requests shall be denied unless the defendant or the defendant's attorney of record establishes that the cause for the continuance request did not previously exist, or that the defendant was not aware of the grounds for the request, or the interests of justice require it. The presiding judge or

Traffic Division hearing officer shall rule on the request, in writing, and shall state the reasons for the grant or denial of the continuance.

*Comment:* Continuance requests must be made timely to enable the Court to review and properly rule on them. The Court may entertain written requests from unrepresented parties if not made on the court-approved form as long as the required information is provided. Documentations ought to be provided as necessary. Continuance requests may be disposed administratively.

*Note:* Adopted December 21, 2005, effective on February 1, 2006; amended on May 8, 2014, effective \_\_\_\_\_, 2014.

### REQUEST FOR CONTINUANCE FORM

#### FIRST JUDICIAL DISTRICT OF PENNSYLVANIA PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION

Commonwealth of Pennsylvania : Citation No(s).  
vs. :

Defendant :

### REQUEST FOR CONTINUANCE

Defendant's Name			Date of Birth
Address	City	State	Zip
Name of Defendant's Attorney (If any)			Attorney ID #
Office Address	City	State	Zip
Electronic Mail Address of Attorney:			
Date of Trial-Hearing	Time	Courtroom (If Available)	<input type="checkbox"/> Check Box if a Scheduling Order was issued for the trial/hearing being continued.
Reason for Request for Continuance (Attach all necessary documentation)			

I verify that the statements made herein are true and correct, and that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Signature of Defendant/ Defendant's Attorney

Date: \_\_\_\_\_

### ORDER

☐ Continuance Granted. Reason:

Continued Date	Time	Courtroom	Location 800 Spring Garden Street Philadelphia, PA
----------------	------	-----------	--

☐ Continuance Denied. Reason:

BY THE COURT:

Date: \_\_\_\_\_

\_\_\_\_\_  
HEARING OFFICER/JUDGE**Local Rule 120. Attorneys—Appearances and Withdrawals.****(a) Entry of Appearance.**

(1) Counsel for defendant shall file with the Attorney Filing Unit an entry of appearance (see form which follows this Local Rule), identifying the citations for which counsel has been retained. The entry of appearance shall include the attorney's office address and electronic mail address, phone number, and the Supreme Court attorney identification number. An entry of appearance seeking to limit representation to a specific hearing shall not be accepted.

(2) When counsel is appointed pursuant to Pa.R.Crim.P. 1035, Appointment of Counsel, the filing of the appointment order shall enter the appearance of appointed counsel.

(3) Counsel shall not be provided any defendant information unless an Entry of Appearance is filed with the Attorney Filing Unit.

(4) An attorney who has been retained by a defendant and entered an appearance as provided in this rule shall continue such representation in the Traffic Division until granted leave to withdraw by the court pursuant to paragraph (b). An attorney who has been appointed by the court pursuant to Pa.R.Crim.P. 1035 shall continue representation as provided in Local Rule 1035.

(b) *Withdrawal of Appearance.* Counsel for a defendant may not withdraw his or her appearance except by leave of court. The request shall be in writing (see form which follows this Local Rule), or may be made orally in open court in the presence of the defendant. The Court may grant the request to withdraw when new counsel enters an appearance, when new counsel is appointed to represent the defendant, or when the defendant intelligently waives the right to counsel.

*Comment:* The entry of appearance process has been problematic in Traffic Division proceedings. This Local Rule is designed to advise all parties that counsel must enter an appearance as a precondition to representation of Traffic Division defendants. Traffic Division will not provide defendant information to counsel until an entry of appearance is filed. Counsel is not permitted to enter an appearance for a limited purpose—i.e. representation for a warrant hearing, or impoundment hearing and the like. Rather, counsel must enter an appearance in connection with all proceedings in the Traffic Division and must officially withdraw from the case to be relieved of further legal obligations at the Traffic Division level.

*Note:* Adopted December 21, 2005, effective on February 1, 2006; amended on May 8, 2014. effective \_\_\_\_\_, 2014.

**ENTRY OF APPEARANCE FORM****FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION****ENTRY OF APPEARANCE**Commonwealth Of Pennsylvania  
vs.

Citation Number(s): \_\_\_\_\_

\_\_\_\_\_  
Defendant's Name

Date of Birth: \_\_\_\_\_

TO THE CLERK OF COURT:

Enter my appearance for Defendant in connection with the above citations.

Name of Attorney (Please Print): \_\_\_\_\_

Office Address of Attorney: \_\_\_\_\_

Electronic Mail Address of Attorney: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Attorney I.D. No.: \_\_\_\_\_

Signature of Attorney: \_\_\_\_\_ Date: \_\_\_\_\_

**REQUEST FOR LEAVE TO WITHDRAW AS COUNSEL FORM****FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION**Commonwealth of Pennsylvania  
vs.

Citation No(s). \_\_\_\_\_

\_\_\_\_\_  
Defendant



## REQUEST FOR LEAVE TO WITHDRAW AS COUNSEL

Defendant's Name			Date of Birth
Address	City	State	Zip
Name of Defendant's Attorney			Attorney ID #
Office Address	City	State	Zip
Electronic Mail Address of Attorney:			
Date of Trial	Time	Courtroom (If Available)	
Reason for Request to Withdraw (Attach all necessary documentation)			
Defendant's Position			

I verify that the statements made herein are true and correct, and that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature Defendant's Attorney

## ORDER

Counsel's request to withdraw as counsel for the Defendant is:

☐ Granted. Reason:

☐ Denied. Reason:

BY THE COURT:

Date: \_\_\_\_\_

\_\_\_\_\_  
HEARING OFFICER/JUDGE

**Local Rule 121. Waiver of Counsel.**

The Waiver of Counsel Form executed by a defendant pursuant to Pa.R.Crim.P. 121 shall be as follows:

**WAIVER OF COUNSEL FORM**

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION**

**WAIVER OF COUNSEL**

Commonwealth Of Pennsylvania  
vs.

Citation Number(s):

\_\_\_\_\_  
Defendant's Name

Date of Birth: \_\_\_\_\_

I hereby state and affirm that I have been advised and that I understand that:

I have the right to be represented by counsel, and the right to have free counsel appointed if I cannot afford one; if I am convicted my operating privileges license could be suspended, and that if I am convicted I may receive a prison sentence; if I waive the right to counsel, I will still be bound by all the normal rules of procedure and that counsel would be familiar with these rules; there are possible defenses to these charges that counsel might be aware of, and if these defenses are not raised at trial, they may be lost permanently; and that, in addition to defenses, that I may have many rights that, if not timely asserted, may be lost permanently; and that if errors occur and are not timely objected to, or otherwise timely raised by me, these errors may be lost permanently.

and I choose to act as my own attorney in connection with the summary trial or hearing for the citation(s) listed above. I further state and affirm that my waiver is made knowingly, voluntarily, and intelligently.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date

I certify that the defendant's waiver was made knowingly, voluntarily and intelligently.

\_\_\_\_\_  
Date

*Note:* Adopted December 21, 2005, effective on February 1, 2006; amended on May 8, 2014. effective \_\_\_\_\_, 2014.

**Local Rule 454. Trial in Summary Cases. Role of the Affiant. Sentencing Orders.**

(a) *Summary Trial.* The summary trial shall be conducted by Traffic Division judges and hearing officers as provided by Pa.R.Crim.P. 454 and 1036. At the conclusion of the summary trial, the judge or hearing officer shall sign the docket of the Traffic Division, identifying the disposition and the amount of the fine and costs imposed, if any. No facsimile signature may be used to sign the docket of the Traffic Division.

(b) *Evidence.*

(1) The law enforcement officer who issued or filed the citation need not appear for the summary trial. The defendant shall be advised of the charges in the citation.

(2) Any authorized user of the Pennsylvania Justice Network ("JNET") may produce and offer to the Court the defendant's certified driving record, as necessary.

(3) The attorney for the Commonwealth may appear and assume charge of the prosecution or, when no attorney appears on behalf of the Commonwealth, an affiant may assume charge of the prosecution and may be permitted to ask questions of any witness who testifies. Such affiant may request, in open court, that the Traffic Division judge or hearing officer permit the withdrawal of one or more of the charges pursuant to Pa.R.Crim.P. 457. If the Traffic Division or hearing officer judge authorizes the withdrawal of one or more of the charges, such withdrawal(s) shall be noted on the docket of the Traffic Division.

(c) *Sentencing Orders.* Every defendant shall be given a copy of the written order imposing sentence issued as required by Pa.R.Crim.P. 454(E). The Traffic Division judges and hearing officers shall use sentencing orders substantially in the form set forth below whenever a period of incarceration is entered as part of the sentence.

*Comment:* Unless otherwise required, for purposes of conducting summary trials and proceedings under Title 75, the Municipal Court Traffic Division is a court not of record and neither a court reporter or other electronic means shall be used to record or transcribe the testimony except as provided in Pa.R.Crim.P. 112. The Traffic Division may, however, direct that proceedings conducted before hearing officers be recorded solely for quality control purposes. These recordings shall not be deemed a public record and shall not be available, discoverable or offered in evidence in any proceeding.

*Note:* Adopted December 21, 2005, effective on February 1, 2006; amended on effective \_\_\_\_\_, 2014.

**SENTENCING ORDER FORMS**

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION**

Commonwealth of Pennsylvania	Judge
vs.	Courtroom
Defendant	Citation Number(s)
A/K/A _____	
PP#	Date of Birth

**ORDER IMPOSING SENTENCE**  
**(Default of Payment Plan—Pa.R.Crim.P. No. 456)**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Court finds that the above named Defendant has been previously ordered to pay certain fines and costs in connection with the above-referenced Traffic Citations, as disclosed on the attached print-out. After a hearing, the Court finds that Defendant has, and had, the financial ability to pay as previously ordered by the Traffic Court, but failed to pay as ordered. The Court finds that Defendant owes the sum of \$ \_\_\_\_\_ in connection with the above listed citations and is sentenced to serve a minimum of \_\_\_\_\_ days and a maximum of \_\_\_\_\_ days ☐ Concurrent or ☐ Consecutive (Check one if applicable) at the following facility:

Credit in the sum of \$40 per day served shall be given pursuant to 75 Pa.C.S. § 6503.

The following additional conditions are applicable:

Defendant may file an Appeal of this sentence for a hearing de novo on the issue of Defendant's Contempt, financial ability to pay, and the propriety of the sentence imposed in the Court of Common Pleas by filing a Notice of Appeal within THIRTY (30) days, at the Philadelphia Municipal Court Traffic Division, 800 Spring Garden Street, Philadelphia, PA. The imposition of the sentence is stayed during the Appeal period. The Appeal will be dismissed if Defendant fails to appear for the de novo hearing.

Pursuant to Pa.R.Crim.P. No. 454, Defendant is COMMANDED to appear on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ AM/PM., in Courtroom \_\_\_\_\_, Traffic Division, 800 Spring Garden Street, Philadelphia, PA for execution of the above prison sentence, unless a timely Notice of Appeal is filed. In the event an Appeal has not been filed and Defendant fails to appear as ordered above, a Warrant will be issued for Defendant's arrest.

☐ Private Counsel: \_\_\_\_\_, Esquire ☐ \_\_\_\_\_, Esquire is appointed to represent Defendant as required by Pa.R.Crim.P. 1035 and T.D.L.R. 1035. Counsel's appointment shall continue for appellate purposes if the Defendant is sentenced to a period of incarceration provided that upon the filing of an appeal, the Defendant meets the eligibility requirements for the appointment of counsel and thus continues to qualify for the appointment of counsel as provided in Pa.R.Crim.P. 1035 and T.D.L.R. 1035.

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS ORDER:

BY THE COURT:

\_\_\_\_\_  
Defendant Date

\_\_\_\_\_  
JUDGE Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney Date

**ORDER IMPOSING SENTENCE—MANDATORY SENTENCE**

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA**  
**PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION**

Commonwealth of Pennsylvania	Judge
vs.	Courtroom
Defendant	Citation Number(s)
A/K/A _____	
PP# _____	Date of Birth _____

**ORDER IMPOSING SENTENCE**  
**(Mandatory Sentence—1543(b)(1))**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Court finds that the above named Defendant has plead guilty or been convicted of violating 75 Pa.C.S. § 1543(b)(1). Defendant is sentenced to pay fines and costs in the sum of \$ \_\_\_\_\_, and is sentenced to serve a minimum of \_\_\_\_\_ days and a maximum of \_\_\_\_\_ days ☐ Concurrent or ☐ Consecutive (Check one if applicable) at the following facility:

Defendant is not entitled to credit provided in 75 Pa.C.S. § 6504.

The following additional conditions are applicable:

Defendant may file an Appeal of this sentence for a hearing de novo in the Court of Common Pleas by filing a Notice of Appeal within THIRTY (30) days, at the Municipal Court Traffic Division, 800 Spring Garden Street, Philadelphia, PA. The imposition of the sentence is stayed during the Appeal period. The Appeal will be dismissed if Defendant fails to appear for the de novo hearing, and the sentence imposed by the Municipal Court Traffic Division will be carried out without further order of court.

Pursuant to Pa.R.Crim.P. No. 454, Defendant is COMMANDED to appear on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ AM/PM., in Courtroom \_\_\_\_\_, Traffic Division, 800 Spring Garden Street, Philadelphia, PA for execution of the above prison sentence, unless a timely Notice of Appeal is filed. In the event an Appeal has not been filed and Defendant fails to appear as ordered above, a Warrant will be issued for Defendant's arrest.

☐ Private Counsel: \_\_\_\_\_, Esquire ☐ \_\_\_\_\_, Esquire is appointed to represent Defendant as required by Pa.R.Crim.P. 1035 and T.D.L.R. 1035. Counsel's appointment shall continue for appellate purposes if the Defendant is sentenced to a period of incarceration provided that upon the filing of an appeal, the Defendant meets the eligibility requirements for the appointment of counsel and thus continues to qualify for the appointment of counsel as provided in Pa.R.Crim.P. 1035 and T.D.L.R. 1035.

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS ORDER:

BY THE COURT:

\_\_\_\_\_  
Defendant Date

\_\_\_\_\_  
JUDGE Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney Date

**ORDER IMPOSING SENTENCE—MANDATORY SENTENCE—SIXTH OR MORE**

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA**  
**PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION**

Commonwealth of Pennsylvania	Judge
vs.	Courtroom
Defendant	Citation Number(s)
A/K/A _____	
PP#	Date of Birth

**ORDER IMPOSING SENTENCE**  
**(Mandatory Sentence—Sixth or More 1543(a))**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Court finds that the above named Defendant has plead guilty or been convicted of six or more violations of 75 Pa.C.S. § 1543(a), as disclosed on the attached print-out. Defendant is sentenced to pay fines and costs in the sum of \$ \_\_\_\_\_, and is sentenced to serve a minimum of \_\_\_\_\_ days and a maximum of \_\_\_\_\_ days ☐ Concurrent or ☐ Consecutive (Check one if applicable) at the following facility:

Defendant is not entitled to the credit provided in 75 Pa.C.S. § 6504.

The following additional conditions are applicable:

Defendant may file an Appeal of this sentence for a hearing de novo in the Court of Common Pleas by filing a Notice of Appeal within THIRTY (30) days, at the Municipal Court Traffic Division, 800 Spring Garden Street, Philadelphia, PA. The imposition of the sentence is stayed during the Appeal period. The Appeal will be dismissed if Defendant fails to appear for the de novo hearing, and the sentence imposed by the Municipal Court Traffic Division will be carried out without further order of court.

Pursuant to Pa.R.Crim.P. No. 454, Defendant is COMMANDED to appear on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ AM/PM., in Courtroom \_\_\_\_\_, Traffic Division, 800 Spring Garden Street, Philadelphia, PA for execution of the above prison sentence, unless a timely Notice of Appeal is filed. In the event an Appeal has not been filed and Defendant fails to appear as ordered above, a Warrant will be issued for Defendant's arrest.

☐ Private Counsel: \_\_\_\_\_, Esquire ☐ \_\_\_\_\_, Esquire is appointed to represent Defendant as required by Pa.R.Crim.P. 1035 and T.D.L.R. 1035. Counsel's appointment shall continue for appellate purposes if the Defendant is sentenced to a period of incarceration provided that upon the filing of an appeal, the Defendant meets the eligibility requirements for the appointment of counsel and thus continues to qualify for the appointment of counsel as provided in Pa.R.Crim.P. 1035 and T.D.L.R. 1035.

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS ORDER:

BY THE COURT:

\_\_\_\_\_  
Defendant Date

\_\_\_\_\_  
JUDGE Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney Date

**ORDER IMPOSING SENTENCE—SUBSEQUENT CONVICTIONS**

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA**  
**PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION**

Commonwealth of Pennsylvania	Judge
vs.	Courtroom
Defendant	Citation Number(s)
A/K/A _____	
PP# _____	Date of Birth _____

**ORDER IMPOSING SENTENCE**  
**(Subsequent Convictions—75 Pa.C.S. § 6503)**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Court finds that the above named Defendant has been previously convicted of violating 75 Pa.C.S. §§ 1501(a); 1543(a); 3367; 3733; 3734; or 3748 as disclosed on the attached print-out. Defendant has today plead guilty or been convicted of violating 75 Pa.C.S. § \_\_\_\_\_. NOW, THEREFORE, pursuant to 75 Pa.C.S. § 6503, in addition to the fines and costs imposed as a result of the conviction of the above violation, Defendant is sentenced to pay fines and costs in the sum of \$ \_\_\_\_\_, and is sentenced to serve a minimum of \_\_\_\_\_ days and a maximum of \_\_\_\_\_ days ☐ Concurrent or ☐ Consecutive (Check one if applicable) at the following facility:

Defendant is not entitled to credit provided in 75 Pa.C.S. § 6504.

The following additional conditions are applicable:

Defendant may file an Appeal of this sentence for a hearing de novo in the Court of Common Pleas by filing a Notice of Appeal within THIRTY (30) days, at the Municipal Court Traffic Division, 800 Spring Garden Street, Philadelphia, PA. The imposition of the sentence is stayed during the Appeal period. The Appeal will be dismissed if Defendant fails to appear for the de novo hearing, and the sentence imposed by the Municipal Court Traffic Division will be carried out without further order of court.

Pursuant to Pa.R.Crim.P. No. 454, Defendant is COMMANDED to appear on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ AM/PM., in Courtroom \_\_\_\_\_, Traffic Division, 800 Spring Garden Street, Philadelphia, PA for execution of the above prison sentence, unless a timely Notice of Appeal is filed. In the event an Appeal has not been filed and Defendant fails to appear as ordered above, a Warrant will be issued for Defendant's arrest.

☐ Private Counsel: \_\_\_\_\_, Esquire ☐ \_\_\_\_\_, Esquire is appointed to represent Defendant as required by Pa.R.Crim.P. 1035 and T.D.L.R. 1035. Counsel's appointment shall continue for appellate purposes if the Defendant is sentenced to a period of incarceration provided that upon the filing of an appeal, the Defendant meets the eligibility requirements for the appointment of counsel and thus continues to qualify for the appointment of counsel as provided in Pa.R.Crim.P. 1035 and T.D.L.R. 1035.

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS ORDER:

BY THE COURT:

\_\_\_\_\_  
 Defendant

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 JUDGE

\_\_\_\_\_  
 Date:

\_\_\_\_\_  
 Attorney

\_\_\_\_\_  
 Date

**COMMITMENT ORDER**

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
 PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION**

Commonwealth of Pennsylvania

vs.

\_\_\_\_\_  
 Defendant

A/K/A \_\_\_\_\_

Judge

Courtroom

Citation Number(s)

PP#

Date of Birth



## COMMITMENT

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Court having been informed that Defendant has not appealed this Court's Order Imposing Sentence dated \_\_\_\_\_ for \_\_\_\_\_, a copy of which is attached to this Commitment, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that this Court's sentence as set forth in the above-referenced Order Imposing Sentence shall commence to be served by the Defendant immediately.

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS ORDER:

BY THE COURT:

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
Date:

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Date

### Local Rule 1030. Scope of Summary Traffic Court Rules.

The local rules that follow complement Chapter 10, Part B. of the Pennsylvania Rules of Criminal Procedures, Philadelphia Municipal Court Traffic Division Rules, Pa.R.Crim.P. 1030 et seq., and the rules referenced thereto, and are intended to identify for counsel and unrepresented parties the procedural rules applicable to the Traffic Division's proceedings in Philadelphia County. These rules are referenced herein as "Local Rules" and shall be cited as "T.D.L.R."

*Note:* Adopted December 21, 2005, effective on February 1, 2006; amended on May 8, 2014. effective \_\_\_\_\_, 2014.

### Local Rule 1031. Institution of Proceedings in Summary Traffic Cases.

(a) *Issued Citations. Scheduling of Summary Trial. Notice To Appear. Service.* As authorized by Pa.R.Crim.P. 1031(B), the citation issued to a defendant pursuant to Pa.R.Crim.P. 405 shall contain the date, time and location of the summary trial. As authorized by Pa.R.Crim.P. 451(A), service shall be made by the issuing law enforcement officer who shall hand a copy of the citation containing the Notice to appear to the defendant.

(b) *Filed Citations. Scheduling of Summary Trial. Notice To Appear. Service.* A citation filed pursuant to Pa.R.Crim.P. 410 et seq. shall contain the date, time and

location of the summary trial. Service shall be made as set forth in Pa.R.Crim.P. 451(B). If the defendant fails to appear for a summary trial scheduled by first class mail, the hearing will be rescheduled the defendant shall be served personally or by registered mail, return receipt requested.


(c) *Form of the Citation.* The citation issued to the Defendant shall be substantially as the form which follows this Local Rule, and as may be otherwise modified from time to time.

(d) *Citations Which Do Not Contain A Hearing Date.* If a law enforcement officer does not enter the date, time and location on a citation issued pursuant to subsection (a), or if the hearing is scheduled for a non-court day, the court shall schedule or reschedule the summary trial and send a notice of trial by first class mail.

*Comment:* Notices mailed to a defendant shall be mailed to the defendant's most current address available to the Traffic Division. The most current address may be the address on record with the Pennsylvania Department of Transportation, or the address the defendant provided to the law enforcement officer at the time the citation was issued, or the address the defendant has provided to the Traffic Division, whichever is later.

*Note:* Adopted December 21, 2005, effective on February 1, 2006; amended on May 8, 2014. effective \_\_\_\_\_, 2014.

**CITATION**

COMMONWEALTH OF PENNSYLVANIA								<b>CONSECUTIVE BARCODE AREA</b>			
PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION 800 SPRING GARDEN STREET P.O. BOX 56301 PHILADELPHIA, PA 19130-6301				<b>TRAFFIC CITATION</b>							
1. DRIVER NUMBER				2. C.D.L. <input type="checkbox"/>		3. STATE <input type="checkbox"/> PA		4. D.O.B.		5. SEX <input type="checkbox"/> M <input type="checkbox"/> F	
6. DEFENDANT NAME - FIRST				MIDDLE		LAST				6A. COMM VEH <input type="checkbox"/> Yes <input type="checkbox"/> No	
7. DEFENDANT STREET ADDRESS											
8. CITY				9. STATE <input type="checkbox"/> PA		10. ZIP CODE					
11. OWNER/LESSEE OR CARRIER NAME (if different from defendant)								11A. IDENTIFICATION SOURCE <input type="checkbox"/> Drivers License <input type="checkbox"/> Defendant <input type="checkbox"/> Non Drivers License <input type="checkbox"/> BMV <input type="checkbox"/> Other _____			
12. OWNER/LESSEE OR CARRIER ADDRESS (if different from defendant)											
13. VEHICLE REG. NO.		14. REG. YR.		15. STATE <input type="checkbox"/> PA		16. MAKE		17. TYPE		18. COLOR	
19. VEHICLE REG. NO.		20. REG. YR.		21. STATE <input type="checkbox"/> PA		22. MAKE		23. TYPE		24. COLOR	
<b>SEE BACK OF DEFENDANT'S COPY FOR BREAKDOWN OF TOTAL DUE.</b>											
VIOLATION TYPE 25. <input type="checkbox"/> Vehicle Code <input type="checkbox"/> Filed on Information Received <input type="checkbox"/> Active Work Zone <input type="checkbox"/> Ordinance <input type="checkbox"/> Lab Services Requested <input type="checkbox"/> Safety Corridor											
26. CHARGE SECTION & SUBSECTION											
27. NATURE OF OFFENSE											
28. SPEED TIMED				29. SPEED ALLOWED				30. WEIGHT PERMITTED		31. ACTUAL VEHICLE WEIGHT	
								lbs.		lbs.	
32. FOLLOWED		33. TIMED		34. TIMED		35. SPEED EQUIP. SERIAL NO.		36. SPEED DETECT. EQUIP. TYPE		37. STAT. EQUIP. TST.	
miles		miles		seconds							
38. DATE EQUIP. TST.		39. ACC. ARREST/RPT. NO.		40. LOCATION OF OCCURRENCE							
		<input type="checkbox"/> YES									
41. DISTRICT OCC.		42. SELECTIVE ENF.		43. DIR OF TRAVEL N S E W		44. WEATHER CONDITIONS		45. OFFENSE DATE		46. DAY	
										47. TIME <input type="checkbox"/> AM <input type="checkbox"/> PM	
<b>TO APPEAR</b>											
<b>YOU MUST APPEAR FOR YOUR SUMMARY TRIAL WHICH IS SCHEDULED FOR:</b>											
48. MONTH		49. DAY		50. YEAR 201		51. TIME <input type="checkbox"/> AM <input type="checkbox"/> PM		LOCATION: 800 Spring Garden Street Philadelphia, PA 19123			
You must plead Guilty or Not Guilty within 10 days of receipt of the citation (see the Reverse side of the Citation). If within 10 days of receipt of the citation you enter a guilty plea and pay the fine and costs indicated on the citation, the summary trial will be cancelled. If you are charged with a violation of 75 Pa.C.S. § 1543 or any other violation that provides for the imposition of a prison sentence, you must appear on the above date with counsel. If you fail to appear for the trial, you are consenting to the trial in your absence. If you are found guilty, the collateral deposited will be forfeited and applied toward your fines and costs. Within 30 days of the entry of a guilty plea or adjudication of guilt you have the right to appeal for a trial <i>de novo</i> in the Court of Common Pleas.											
<b>I have served a copy of this Citation on the Defendant.</b> I verify that the facts set forth in this citation are true and correct to the best of my knowledge, information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to the unsworn falsification to authorities.											
OFFICER'S SIGNATURE						BADGE NO.					
52. DEFENDANT'S SIGNATURE - ACKNOWLEDGES RECEIPT OF CITATION <b>X</b>						53. DATE <input type="checkbox"/> ISSUED <input type="checkbox"/> FILED					
54. STATION ADDRESS				55. DIST. ISS.		56. LAW ENFORCEMENT AGENCY <input type="checkbox"/> Acc. Inv. Div. <input type="checkbox"/> DRPA <input type="checkbox"/> City Police <input type="checkbox"/> PennDOT <input type="checkbox"/> Pub. Util. Com. <input type="checkbox"/> State Police <input type="checkbox"/> Other _____					
57A. JUVENILE <input type="checkbox"/> YES <input type="checkbox"/> NO		57B. PARENTS NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO		58. COMM. VEH. <input type="checkbox"/> HAZ. MAT. <input type="checkbox"/>		59. SCHOOL VEH. <input type="checkbox"/> 16 PASS VEH. <input type="checkbox"/>		60. <input type="checkbox"/> MARKED <input type="checkbox"/> UNMARKED			
57. REMARKS											
61. TOTAL DUE (if paid within 10 Days of Issuance)				62. SECTION/SUB SEC.				63. DATE			
								<b>MM XXXXXX-X</b>			
<b>NOTICE</b>											
If you plead guilty or are found guilty, points may be assessed against your driver's record. An accumulation of points may result in the suspension of your driving privilege. Also, your driving privilege WILL BE SUSPENDED if you plead guilty or are found guilty of certain offenses under the Vehicle Code, including but not limited to: 75 Pa.C.S. §§ 1371, 3341, 3345, 3367, 3718, 3734, 3736, subsequent convictions of 75 Pa.C.S. § 1501, a violation of 75 Pa.C.S. § 3361 when occurring in an active work zone and an accident report is submitted by the police, and a violation of 75 Pa.C.S. § 3362 when occurring in an active work zone.											
*Final Amount to be determined by Municipal Court, Traffic Division. AOPCA-2005 7-147 (Rev. 1/2014)											

**Local Rule 1032. Pleas in Response to Citation. Failure to Timely Plea or Pay the Requisite Collateral.**

(a) *General Rule.* A defendant must enter a plea within ten days after issuance of the citation as required by Pa.R.Crim.P. 407 regardless of whether the citation issued to the defendant contains a summary trial hearing date.

(b) *Not Guilty Plea.* The defendant may plead not guilty in person at the Traffic Division, on-line through the Court's website, <http://courts.phila.gov> (click the "Municipal Court Traffic Division" link under the section entitled "Courts of the District"), through the Court's IVR (Interactive Voice Response system), or by mail by following the instructions contained on the back of the citation. The summary trial will be held on the date assigned pursuant to Local Rule 1031. No additional Notice of Trial shall be required to advise the defendant of the summary trial date unless the summary trial scheduled pursuant to Local Rule 1031 is rescheduled by the Philadelphia Municipal Court Traffic Division.

(c) *Guilty Plea.*

(1) Except as provided in paragraph (c)(2), the defendant may plead guilty in person at the Traffic Division, on-line through the Court's website, <http://courts.phila.gov> (click the "Municipal Court Traffic Division" link under the section entitled "Courts of the District"), through the Court's IVR (Interactive Voice Response system), or by mail by following the instructions contained on the back of the citation.

(2) If the defendant has been cited for violation of 75 Pa.C.S. § 1543(B), and other violations which require the imposition of a prison sentence upon a guilty plea or adjudication, the defendant may not plead guilty by mail or electronically, and the summary trial will be held as scheduled, unless it is rescheduled by the Court.

(3) Any notice which reschedules a summary trial shall be mailed to the defendant, by first class mail, at the Defendant's last known address. A bench warrant shall be issued if the defendant fails to appear for the summary trial.

(d) *Failure to Timely Plea or Post the Requisite Collateral.* As required by Pa.R.Crim.P. 430, a warrant for the arrest of a defendant shall be issued if a defendant fails to enter a plea within ten days after the issuance of a citation. Moreover, the defendant's operating privileges may be suspended pursuant to 75 Pa.C.S. § 1533, and a late fee will be assessed if the defendant fails to file a plea within ten days after issuance of the citation. A written notice of suspension, issuance of arrest warrant, or imposition of late fee shall be sent to the defendant, by first class mail, at the defendant's last known address.

*Comment:* Notices mailed to a defendant shall be mailed to the defendant's most current address available to the Traffic Division. The most current address may be the address on record with the Pennsylvania Department of Transportation, or the address the defendant provided to the law enforcement officer at the time the citation was issued, or the address the defendant has provided to the Traffic Division, whichever is later.

*Note:* Adopted December 21, 2005, effective on February 1, 2006; amended on May 8, 2014. effective , 2014.

**Local Rule 1033. Procedures When Defendant Arrested with Warrant.**

(a) *Defendant Arrested During the Traffic Division's Hours of Operation.*

(1) A defendant arrested pursuant to a Traffic Division warrant shall be brought to the Traffic Division as soon as practicable after being processed provided the Traffic Division is open.

(2) A warrant hearing shall be conducted promptly by a Traffic Division judge or hearing officer to determine the reasons for the issuance of the warrant, and to determine whether a summary trial or hearing on the matter which resulted in the issuance of the warrant can be held immediately. At the conclusion of the warrant hearing, all outstanding Traffic Division warrants against the Defendant shall be withdrawn.

(i) If it appears that the summary trial or hearing on the matter which resulted in the issuance of the warrant can be held immediately, the summary trial or hearing will be held immediately.

(ii) If it appears that the summary trial or hearing on the matter which resulted in the issuance of the warrant cannot be held immediately, and the defendant does not have a history of failure to appear for Traffic Division hearings:

(A) the Traffic Division judge or hearing officer shall schedule the summary trial or hearing and determine whether collateral must be posted by the defendant to secure defendant's release pending the hearing or summary trial. The Scheduling Orders shall be substantially in the form which follows this Local Rule;

(B) the defendant shall be released unless collateral has been ordered and has not been posted; and

(C) if the defendant is ordered to post collateral and the collateral has not been posted, the defendant shall be brought to the county prison and held pending the summary trial or hearing. Provided, however, that the defendant shall be released at any time before the scheduled summary trial or hearing when the collateral is posted.

(iii) If it appears that the summary trial or hearing on the matter which resulted in the issuance of the warrant cannot be held immediately, and the defendant does have a history of failure to appear for Traffic Division hearings, especially after personal service of a citation or scheduling hearing, the Traffic Division judge or hearing officer shall schedule the summary trial or hearing without unnecessary delay, but in no event more than 72 hours from the date of the bench warrant hearing or, if the 72 hours expire on a non-business day, no later than the close of the next business day, and the defendant may be held in custody pending the rescheduled hearing. For purposes of this subsection, the term "history of failure to appear" shall mean that the defendant has failed to appear for at least two (2) Traffic Division hearings despite service of a date certain citation or notice personally on the defendant.

(b) *Defendant Arrested While the Traffic Division is Closed.* A defendant arrested pursuant to a Traffic Division warrant while the Traffic Division is closed shall be processed as provided in Philadelphia Municipal Court Rule 540. The Subpoena/Commitment form used by the Municipal Court arraignment court magistrate shall be substantially in the form which follows this Local Rule.

*Comment:* Pa.R.Crim.P. 1033, Philadelphia Municipal Court Rule 540, and this Local Rule are intended to provide a warrant hearing process which minimizes the time a defendant is held before a warrant hearing is conducted. However, the very nature of an arrest, the need to properly identify the defendant, and the internal

protocol the arresting law enforcement officers need to follow incident to an arrest will, per force, take time. Nonetheless, it is expected that, to the extent possible, the time a defendant is held be minimized. The standard form of the Scheduling Orders is set forth below together with documents which will secure defendant's release when collateral has been ordered and is posted either at the Traffic Division or at the Bail Acceptance Unit at the Justice Juanita Kidd Stout Center for Criminal Justice, which is open around the clock, every day, including holidays.

The standard Scheduling Orders for Summary Trials and Default Hearing place the defendant on notice that that a defendant's failure to appear will result in the issuance of a bench warrant and when the defendant is arrested, the hearing will be rescheduled and the defendant will be held in custody until the rescheduled hearing date.

Subsection (a)(2)(iii) was added to clearly set forth the maximum amount of time a defendant who has a history of failure to appear for a Traffic Division hearing or trial despite personal service of the hearing date can be held

pending the rescheduled hearing date in the event a hearing or trial cannot be held on the day the defendant is brought to the Traffic Division for a warrant hearing. The time period provided in the new subsection is the same as that provided in Pa.R.Crim.P. 150.

It is anticipated that most of the summary trials or hearings will be held on the same day the defendant is arrested and brought to the Traffic Division on a warrant issued due to the defendant's failure to appear. Some defendants may have such large number of outstanding traffic citations and citations which are in default of a payment which will require some time to compile the required records and to obtain the required certified record from the Pennsylvania Department of Transportation. Nonetheless, the Traffic Division can reasonably do so within the requisite 72 hour period or release the defendant pending a future scheduled date if it is unable to do so.

*Note:* Adopted December 21, 2005, effective on February 1, 2006; amended on May 8, 2014. effective , 2014.

### SCHEDULING ORDER FORMS

#### SCHEDULING ORDER (SUMMARY TRIAL)

#### FIRST JUDICIAL DISTRICT OF PENNSYLVANIA PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION

Commonwealth of Pennsylvania	Judge
vs.	Courtroom
Defendant	Citation Number(s)
A/K/A _____	
PP#	Date of Birth

#### SCHEDULING ORDER (Summary Trial)

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_, IT IS HEREBY ORDERED that a Summary Trial is scheduled in connection with the traffic citations listed above and Defendant is ORDERED to appear on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ AM/PM., in Courtroom \_\_\_\_\_, Municipal Court Traffic Division, 800 Spring Garden Street, Philadelphia, PA.

☐ The Defendant shall be released on his/her own recognizance pending the above scheduled summary trial.

☐ The Defendant shall be released prior to the above summary trial date upon the posting the sum of \$ \_\_\_\_\_ as collateral for outstanding traffic citations. Provided, however, that if the above rescheduled hearing date exceeds 72 hours from today, if the requested collateral is not posted, the defendant shall be released from custody within 72 hours of today or no later than the close of the next business day if the 72 hours expire on a non-business day.

☐ There is a likelihood that imprisonment may be imposed at the conclusion of the above scheduled summary trial. In the event Defendant is not represented, Defendant must report within ten (10) days to the First Judicial District's Pretrial Service Division, 5th Floor, 1401 Arch Street, Philadelphia, PA between the hours of 9:00 A.M. to 4:00 P.M. Monday through Friday for a financial interview to determine eligibility to court-appointed counsel. Defendant must bring supporting documentation such as Driver's License, DPW card, pay stubs etc. at the time of the interview.

The Bench Warrant issued for the Defendant's arrest is withdrawn.

Defendant's failure to appear on the above date will result in the issuance of a Bench Warrant. Upon arrest, the hearing will be rescheduled and Defendant will be held in custody until the rescheduled hearing date.



I ACKNOWLEDGE RECEIPT OF A COPY OF THIS ORDER:

BY THE COURT:

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
HEARING OFFICER/JUDGE

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Date

**SCHEDULING ORDER—DEFAULT HEARING**

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION**

Commonwealth of Pennsylvania	Judge
vs.	Courtroom
Defendant	Citation Number(s)
A/K/A _____	
PP#	Date of Birth

**SCHEDULING ORDER  
(Default Hearing)**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 20\_\_\_\_, Defendant is ORDERED to appear on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ AM/PM., in Courtroom \_\_\_\_\_, Municipal Court Traffic Division, 800 Spring Garden Street, Philadelphia, PA, to determine, pursuant to Pa.R.Crim.P. 456, defendant's ability to pay the outstanding fines and costs as previously ordered by the Traffic Division, and to enter any appropriate order, including imposition of any sanctions provided by law. Defendant must provide appropriate documentation of his/her financial status.

☐ Defendant shall be released on his/her own recognizance pending the above financial determination hearing.

☐ The Defendant shall be released prior to the above summary trial date upon the posting the sum of \$ \_\_\_\_\_ as collateral for outstanding traffic citations. Provided, however, that if the above rescheduled hearing date exceeds 72 hours from today, and the requested collateral is not posted, the defendant shall be released from custody within 72 hours of today or no later than the close of the next business day if the 72 hours expire on a non-business day.

☐ There is a likelihood that imprisonment may be imposed at the conclusion of the above scheduled financial determination hearing. In the event Defendant is not represented, Defendant must report within ten (10) days to the First Judicial District's Pretrial Service Division, 5th Floor, 1401 Arch Street, Philadelphia, PA between the hours of 9:00 A.M. to 4:00 P.M. Monday through Friday for a financial interview to determine eligibility to court-appointed counsel. Defendant must bring supporting documentation such as Driver's License, DPW card, pay stubs etc. at the time of the interview.

The bench warrant issued for the Defendant's arrest is withdrawn.

Defendant's failure to appear on the above date will result in the issuance of a bench warrant. Upon arrest, the hearing will be rescheduled and Defendant will be held in custody until the rescheduled hearing date.

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS ORDER:

BY THE COURT:

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
HEARING OFFICER/JUDGE

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Date

**SCHEDULING ORDER / COMMITMENT**  
**(FTA after Scheduling Order Issued—BW Issued)**  
**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA**  
**PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION**

Commonwealth of Pennsylvania	Judge
vs.	Courtroom
Defendant	Citation Number(s)
A/K/A _____	
PP# _____	Date of Birth _____

**SCHEDULING ORDER/COMMITMENT**  
**(FTA after Scheduling Order Issued—BW Issued)**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, due to Defendant's failure to appear for a hearing or trial despite personal service of a Scheduling Order, the Defendant will be held in custody in the Philadelphia Prisons System until the rescheduled hearing date which shall not exceed 72 hours from today, or no later than the close of the next business day if the 72 hours expire on a non-business day.

The summary trial or default hearing initially scheduled for \_\_\_\_\_ is rescheduled to the next available date in light of the offenses charged and the court's calendar to \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ AM/PM., in Courtroom \_\_\_\_\_, Municipal Court Traffic Division, 800 Spring Garden Street, Philadelphia, PA.

There is a likelihood that imprisonment may be imposed at the conclusion of the above scheduled hearing or trial. Counsel will be made available to Defendant on the rescheduled hearing date if the defendant is without financial resources or is otherwise unable to employ counsel.

The Bench Warrant issued for Defendant's arrest due to Defendant's failure to appear for the previously scheduled summary trial or hearing is withdrawn.

TO ANY AUTHORIZED PERSON of the above-named County of this Commonwealth: you are hereby commanded to convey and deliver into the custody of the Keeper of the county prison the above-named defendant.

YOU, THE KEEPER, are required to receive the defendant into your custody to be safely kept by you and brought down for the above-scheduled hearing.

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS ORDER:

BY THE COURT:

\_\_\_\_\_  
Defendant Date

\_\_\_\_\_  
HEARING OFFICER/JUDGE Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney Date

**SCHEDULING ORDER—COMMITMENT**  
**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA**  
**PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION**

Commonwealth of Pennsylvania	Judge
vs.	Courtroom
Defendant	Citation Number(s)
A/K/A _____	
PP# _____	Date of Birth _____

## SCHEDULING ORDER/COMMITMENT

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, due to defendant's failure to appear for a hearing or trial despite personal service of a Scheduling Order, the Defendant will be held in custody in the Philadelphia Prisons System until the rescheduled hearing date which shall not exceed 72 hours from today, or no later than the close of the next business day if the 72 hours expire on a non-business day.

The summary trial or default hearing is scheduled for \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ AM/PM., in Courtroom \_\_\_\_\_, Municipal Court Traffic Division, 800 Spring Garden Street, Philadelphia, PA. which the undersigned represents is the most expeditious date in light of the offenses at issue.

Defendant may be released pending the hearing scheduled by this order upon the posting of \$ \_\_\_\_\_ as collateral. Provided, however, that if the rescheduled hearing date above exceeds 72 hours from today, if the requested collateral is not posted, the defendant shall be released from custody within 72 hours of today or no later than the close of the next business day if the 72 hours expire on a non-business day.

There is a likelihood that imprisonment may be imposed at the conclusion of the above scheduled hearing or trial. Counsel will be made available to Defendant on the re-scheduled hearing date if the defendant is without financial resources or is otherwise unable to employ counsel.

The Bench Warrant issued for Defendant's arrest due to Defendant's failure to appear for the previously scheduled summary trial or hearing is withdrawn.

TO ANY AUTHORIZED PERSON of the above-named County of this Commonwealth: you are hereby commanded to convey and deliver into the custody of the Keeper of the county prison the above-named defendant.

YOU, THE KEEPER, are required to receive the defendant into your custody to be safely kept by you and brought down for the above-scheduled hearing.

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS ORDER:

BY THE COURT:

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
HEARING OFFICER/JUDGE

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney

\_\_\_\_\_  
Date

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
PHILADELPHIA MUNICIPAL COURT  
TRAFFIC DIVISION**

**ENFORCEMENT DEPARTMENT**

COMMONWEALTH OF PENNSYLVANIA

v.

\_\_\_\_\_  
Defendant

: Citation Nos. \_\_\_\_\_  
: PA MOTOR VEHICLE CODE  
: DATE: \_\_\_\_\_  
: PP No. \_\_\_\_\_  
: SID \_\_\_\_\_  
: INTAKE No. \_\_\_\_\_

COLLATERAL/FINES PAID:

\$ \_\_\_\_\_

TO THE KEEPER OF:

\_\_\_\_\_ Philadelphia Prisons  
\_\_\_\_\_ Police Department  
\_\_\_\_\_ Other

The total collateral or fines imposed by the Philadelphia Traffic Court to secure defendant's release having been paid, discharge the above named Defendant from your custody, if detained for no other cause than stated above.

FOR THE COURT:

Date: \_\_\_\_\_

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY/  
IN THE PHILADELPHIA MUNICIPAL COURT**

**BAIL ACCEPTANCE OFFICE**

COMMONWEALTH OF PENNSYLVANIA

Citation Nos. \_\_\_\_\_

VS.

\_\_\_\_\_  
Defendant

Collateral/Fines Paid \$ \_\_\_\_\_

Processing Fee \$5.00

Total Paid \$ \_\_\_\_\_

To The Keeper Of:

\_\_\_\_\_  
Philadelphia Prisons\_\_\_\_\_  
Other

The total collateral or fines imposed by the Philadelphia Traffic Court to secure defendant's release having been paid, discharge the above named Defendant from your custody, if detained for no other cause than stated above.

FOR THE COURT:

Date: \_\_\_\_\_

\_\_\_\_\_  
Bail Acceptance Officer

COMMENTS:

**Local Rule 1035. Appointment of Counsel.**

Counsel shall be provided to Traffic Division defendants who qualify pursuant to Pa.R.Crim.P. 1035 as follows:

(a) Counsel will be appointed on a per diem basis to represent all Traffic Division defendants entitled to court-appointed counsel in connection with Traffic Division summary trials or hearings on the day of counsel's appointment. A separate appointment order, substantially in the form which follows this Local Rule, will be issued concerning each defendant represented by court-appointed counsel.

(b) Court-appointed counsel's appointment terminates at the conclusion of the Traffic Division hearing; however, in the event any defendant represented during such one day appointment is sentenced to a period of incarceration, counsel's appointment will continue for that defendant until final judgment (including any proceedings upon direct appeal) of such prison sentence.

(c) Court-appointed counsel's per diem compensation is \$200 for representing Traffic Division defendants at the Traffic Division level regardless of the number of defendants represented on the assigned day.

(d) Compensation for representing a defendant in connection with an appeal to the Court of Common Pleas (regardless of the number of citations issued to the defendant which are being appealed) shall be \$200.00.

(e) Court-appointed counsel shall be compensated \$300.00 per defendant for appeals to any appellate court from a prison sentence imposed by the Court of Common Pleas.

(f) The appointment of counsel constitutes authority for the defendant to proceed in forma pauperis and authorization to file pleadings without the payment of filing fees.

*Note:* Adopted December 21, 2005, effective on February 1, 2006; amended on May 8, 2014, effective \_\_\_\_\_, 2014.

**FORM OF APPOINTMENT ORDER**

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
PHILADELPHIA MUNICIPAL COURT TRAFFIC DIVISION**

Commonwealth of Pennsylvania

Citation Nos.

vs.

\_\_\_\_\_  
Defendant**APPOINTMENT ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it appearing that there is a likelihood that imprisonment may be imposed at the conclusion of the Traffic Court summary trial or hearing, pursuant to Pa.R.Crim.P. 1035 and T.D.L.R. 1035, \_\_\_\_\_, Esquire, is appointed to represent the Defendant in connection with the above citations.

This appointment is not transferable and is subject to the provisions set forth in Pa.R.Crim.P. 1035 and T.D.L.R. 1035.

This order constitutes authority for the defendant to proceed in forma pauperis.



Appointed counsel certifies that counsel maintains a principal office in Philadelphia County pursuant to Administrative Governing Board Directive Number 2 of 1997.

Compensation shall be as established in T.D.L.R. 1035.

BY THE COURT:

---

**Local Rule 1036. Philadelphia Municipal Court Traffic Division Hearing Officers.**

(A) *Qualifications.* A hearing officer:

(1) must be an attorney licensed to practice in the Commonwealth of Pennsylvania and must possess such experience and meet such additional requirements as may be provided by the Supreme Court of Pennsylvania in order to be employed as a hearing officer; or

(2) must complete a course of training and instruction in the duties of a Traffic Division hearing officer as may be established from time to time by the Philadelphia Municipal Court Traffic Division consistent with subsection (B) below.

(B) *Training and Examination.* A person selected by the Philadelphia Municipal Court Traffic Division as a prospective hearing officer pursuant to subsection (A)(2) above shall:

(1) complete an initial course of training and instruction of not less than twenty-four (24) hours in subject areas dealing with traffic laws, policies, rules and proceedings and must pass an examination administered by the Philadelphia Municipal Court Traffic Division or under its supervision and direction before assuming the position of Traffic Division hearing officer.

(2) Any person selected as a prospective hearing officer who does not complete the initial course of training and instruction, or who fails the examination, shall not be employed as a Traffic Division hearing officer.

(C) *Continuing Education.*

(1) All Municipal Court Traffic Division hearing officers shall complete a continuing education program each year equivalent to not less than eight (8) hours per year in such courses or programs as may be established from time to time by the Philadelphia Municipal Court Traffic Division.

(2) At the discretion of the Philadelphia Municipal Court Traffic Division, attendance at training courses conducted by or on behalf of the Minor Judiciary Education Board may satisfy the training requirements or continuing education requirements.

(3) The employment of any Traffic Division hearing officer who fails to meet the continuing education requirements shall be terminated.

(D) The appointment of any employee of the Municipal Court Traffic Division as a "Traffic Court hearing officer" pursuant to former Pa.R.Crim.P. 1036 (rescinded) and former Phila. T.C. Local Rule 1036 (rescinded) shall cease on [effective date of the new rules]. From time to time, the Court may direct any such former Traffic Court hearing officer to assist in issuing payment plans and releasing impounded vehicles.

*Note:* New Local Rule 1037 adopted May 8, 2014, effective \_\_\_\_\_, 2014.

**Local Rule 1037. Appeals From Traffic Division Orders.**

(a)(1) Notices of Appeal from Traffic Division proceedings are to be filed with the Philadelphia Municipal Court Traffic Division, which will accept them on behalf of the Office of Judicial Records, Criminal (formerly, the Clerk of Courts and Clerk of Quarter Sessions), at the following address:

Philadelphia Municipal Court Traffic Division  
Appeals Unit  
800 Spring Garden Street  
Philadelphia, PA 19123

Upon receipt of the Notice of Appeal, the Traffic Division shall transmit the Traffic Division record to the Court of Common Pleas, Trial Division, Criminal pursuant to Pa.R.Crim.P. 460. The Notice of Appeal forms shall be posted on the website of the First Judicial District of Pennsylvania at [www.courts.phila.gov/forms](http://www.courts.phila.gov/forms).

(2) On appeal, proceedings shall be held as provided in Pa.R.Crim.P. 1037. The Order to be issued by the Court of Common Pleas judge shall be substantially in the form provided hereunder.

(b) Motions to Appeal Nunc Pro Tunc and Notices of Appeal Nunc Pro Tunc shall also be filed with the Philadelphia Municipal Court Traffic Division which will transmit the record to the Court of Common Pleas, Trial Division, Criminal.

(c) *Red Light Appeals.* Traffic Division orders issued after de novo hearings authorized by 75 Pa.C.S. § 3116(m)(4) for violations of Automated Red Light Enforcement Systems are appealable to the Court of Common Pleas, Trial Division, Civil.

(d) *Appeals from Impoundment Orders.* Notices of Appeal from orders issued upon Requests for Release of an Impounded Vehicle pursuant to 75 Pa.C.S. §§ 6309, 6309.1 and 6309.2 are to be filed with the Office of Judicial Records, Civil (formerly, the Prothonotary), electronically through the website of the First Judicial District at [www.courts.phila.gov](http://www.courts.phila.gov), or at the following address:

*Note:* New Local Rule 1037 adopted May 8, 2014, effective \_\_\_\_\_, 2014.

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA  
COURT OF COMMON PLEAS**

Commonwealth of Pennsylvania  
vs.

Docket No. CP-51- - - - -

•  
•  
•  
•  
•  
•  
•  
•

Traffic Citation(s) No.

Defendant

Appeal Hearing Date: \_\_\_\_\_

## ORDER—SUMMARY APPEAL

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it is hereby ordered, adjudged and decreed that:

☐ APPEAL HEARING continued to: \_\_\_\_\_

☐ NOT GUILTY. Upon conclusion of the trial, the defendant is found NOT GUILTY. The Municipal Court Traffic Division shall apply any collateral posted by defendant to any fees, fines and costs owed by defendant and shall refund the balance, if any.

☐ **DEFENDANT FAILED TO APPEAR. MANDATORY SENTENCING.** The defendant having failed to appear, the appeal is dismissed, the judgment of the Municipal Court Traffic Division is entered as the judgment of the Court of Common Pleas, a bench warrant is issued for the defendant's arrest, and execution of the sentence shall commence immediately upon defendant's arrest. This order shall authorize Defendant's commitment. The defendant is sentenced to serve a period of incarceration as follows: a minimum of \_\_\_\_ days and a maximum of \_\_\_\_ days as more fully provided in the attached Municipal Court Traffic Division order.

☐ **DEFENDANT FAILED TO APPEAR. OTHER THAN MANDATORY SENTENCE.** The defendant having failed to appear, the appeal is dismissed, and the judgment of the Municipal Court Traffic Division is entered as the judgment of the Court of Common Pleas, as more fully provided in the attached Traffic Division order. The defendant must pay in full the outstanding fines and costs totaling \$ \_\_\_\_\_ or contact the Municipal Court Traffic Division to enter into an installment payment plan within 30 days, or a warrant for defendant's arrest will be issued.

□ **APPEAL WITHDRAWN**—The defendant having withdrawn the appeal, the judgment of the Municipal Court Traffic Division is entered as the judgment of the Court of Common Pleas, as more fully provided in the attached Municipal Court Traffic Division order.

☐ **PLEA. NEGOTIATED PLEA.** Defendant has negotiated a plea, or knowingly, intelligently and voluntarily entered a plea of GUILTY to the following Summary Violation(s), which is accepted by the Court:

Unless full collateral has already been posted, the defendant must pay in full within 24 hours all fines and costs associated with this GUILTY plea, in the sum of \$ \_\_\_\_\_, or as otherwise provided by the Municipal Court Traffic Division, and if not so paid the plea will be set aside and a hearing on the Appeal will be rescheduled by the Court.

☐ **GUILTY. MANDATORY SENTENCING.** The defendant is found GUILTY, is ordered to pay within 30 days the sum of \$ \_\_\_\_\_ in fines and costs, and is sentenced to serve a period of incarceration as follows: a minimum of \_\_\_\_\_ days and a maximum of \_\_\_\_\_ days. The sentence is stayed for 30 days and unless a Notice of Appeal is filed, defendant shall appear for execution of sentence on \_\_\_\_\_, 2010 at \_\_\_\_\_ AM/PM in Courtroom \_\_\_\_\_, Justice Juanita Kidd Stout Center for Criminal Justice, 1301 Filbert Street, Philadelphia, PA.

☐ **GUILTY. OTHER THAN MANDATORY SENTENCE.** The defendant is found GUILTY, is ordered to pay \$ \_\_\_\_\_, or as otherwise provided by the Traffic Court, in fines and costs in full, or to contact the Municipal Court Traffic Division to enter into an installment payment plan within 30 days or a warrant for defendant's arrest will be issued.

☐

Jurisdiction is remanded to the Municipal Court Traffic Division pursuant to Pa.R.Crim.P. No. 1037.

BY THE COURT:

Judge

[Pa.B. Doc. No. 14-1081. Filed for public inspection May 23, 2014, 9:00 a.m.]

# Title 255—LOCAL COURT RULES

## CARBON COUNTY

### Amendment of Civil Case Management Plan; 04-1823

#### Administrative Order No. 11-2014

*And Now*, this 6th day of May, 2014, it is hereby

*Ordered* and *Decreed* that, effective July 1, 2014, Carbon County *Amends* the Civil Case Management Plan as follows.

The Carbon County District Court Administrator is *Ordered* and *Directed* to do the following:

1. File one (1) certified copy of this Administrative Order with the Administrative Office of Pennsylvania Courts.

2. File two (2) certified copies and one (1) diskette with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3. File one (1) certified copy with the Pennsylvania Civil Procedural Rules Committee.

4. Forward one (1) copy for publication in the *Carbon County Law Journal*.

5. Forward one (1) copy to the Carbon County Law Library.

6. Keep continuously available for public inspection copies of the Order in the Prothonotary's Office.

*By the Court*

ROGER N. NANOVIĆ,  
*President Judge*

## CARBON COUNTY COURT OF COMMON PLEAS

### CIVIL CASE MANAGEMENT PLAN

#### I. Judicial Commitment to Caseflow Management

Since January 3, 1995, the Court has assumed the responsibility of ensuring the fair and prompt disposition of all cases, as well as assuring effective and efficient use of Court resources paid for by taxpayers. Our success is attributable to the commitment of this principle by each Judge, Court and County staff of the 56th Judicial District.

Goal setting provides the objectives and a benchmark for measuring its success. The Court must meet reasonable time standards for the processing and prompt disposition of standard types of cases in terms of their nature and legal issues. Exhibit "1," attached hereto, shows the timelines and time standards by track for civil cases adopted by this Court.

#### II. Effective Communications with the Bar

The Court coordinates scheduling of cases and makes reasonable accommodations to attorneys and parties in the management of cases. Operative scheduling allows efficient case processing.

#### III. Early and Continuous Court Supervision of Case Progress

The Court monitors the progress of cases from the time a writ of summons or complaint is filed to ensure

movement of cases to disposition, eliminating unnecessary delay and additional costs of litigation. Mere agreement of counsel/parties is not sufficient grounds for the Court to grant continuances. When a continuance is granted, the matter is continued to a specified date.

#### IV. Event-Date Certainty

Reasonable certainty about filing deadlines and event dates avoids aggravation, waste and unnecessary cost to the parties and their attorneys. Moreover, national studies have found that nothing promotes pretrial dispositions more than the expectation that a trial is more likely than not to occur on or near the scheduled date. Approximately one hundred twenty days (120) after initial filing of the action, deadlines and events are scheduled with notice given to attorneys/parties of all deadlines and projected event dates, assuring case flow and expeditious case dispositions.

#### V. A Functional Case Management Information System

The fully automated court computer system provides relevant, accurate, and timely case information, supporting an efficient case management plan by tracking and maintaining cases and events. Monthly reports identify specific cases that have been pending longer than the time standards so appropriate steps can be taken.

#### VI. Time Standards and Case Management Criteria

##### A. Court Ruling on Motions

1. Motions are decided pursuant to Pa.R.C.P. 208.4.
2. Each Judge monitors the status of all outstanding motions.

3. Semi Annual Reports—Pursuant to Pennsylvania Rule of Judicial Administration 703(B)(2), each Judge is responsible to report on matters submitted and undisposed for 90 days or more.

##### B. Differentiated Case Management by Case Tracks

Upon the filing of an action, the court computer database assigns a Judge, track and timelines based on the case type, number of parties, and the timeframes established by this Court. These provisions govern each case unless changed at an attorney's request, upon management review by the Office of the District Court Administrator or upon the Court's own directive. If the amount in controversy is less than \$50,000.00, the case proceeds on the fast track directly to arbitration.

##### C. One Hundred Twenty-Day Review

Approximately one hundred twenty (120) days after initial filing of the case, a review of the docket activity is performed to check the status of the case. If the complaint and service are in order, a management review order is produced confirming the timelines established for the case. A management conference is scheduled for cases where the proper pleadings or service have not been initiated.

##### D. Fast Track

A case is assigned to the fast track when it appears that it can be promptly tried with little pre-trial discovery and other pre-trial proceedings. All cases having four or less parties as shown in Exhibit "2" are fast track cases. Except in extraordinary circumstances, the Court strives to dispose of all fast track cases within ten (10) months

after initial filing. Upon completion of the discovery period, the case is given a date certain for arbitration or non-jury trial. In any case where an appeal for an arbitration award is filed, the case is given a date certain for a pre-trial conference or non-jury trial. If settlement is not reached at the pre-trial conference, the case is scheduled for trial.

#### *E. Standard Case Track*

All cases not designated fast track or complex are standard civil cases. Except in extraordinary circumstances, the Court strives to dispose all standard cases within 18 months after initial filing. Upon completion of the discovery period, the case is given a date certain for a pre-trial conference or non-jury trial. If settlement is not

reached at the pre-trial conference, the case is scheduled for trial.

#### *F. Complex Case Track.*

A case is assigned to the complex track when additional time and resources are needed to bring the case to disposition. Civil cases involving construction contracts, three or more parties, or claims of asbestos, medical malpractice or products liability are complex cases. Upon completion of the discovery period, the case is given a date certain for a pre-trial conference or non-jury trial. If settlement is not reached at the pre-trial conference, the case is scheduled for trial. Except in extraordinary circumstances, the Court strives to dispose all complex cases within 24 months after initial filing.

<i>Case Event/Timelines</i>	<b>Exhibit "1"</b>		
	<i>Fast Track</i>	<i>Standard Track</i>	<i>Complex Track</i>
Management Review Order or Management Conference	4 months	4 months	4 months
Discovery Complete	6 months	13 months	18 months
Plaintiff Expert Reports	6 months	13 months	19 months
Defendant Expert Reports	8 months	14 months	20 months
Motions Filing Deadline	8 months	14 months	20 months
Pretrial Memorandum Due		Approx. 15 months	Approx. 21 months
Pretrial Settlement Conference (If Jury Trial)		16 months	22 months
Jury/Non-Jury Trial	10 months	18 months	24 months

#### **Exhibit "2"**

#### **CASE MANAGEMENT TRACK CRITERIA**

<i>Case Type</i>	<i>Number of Parties</i>	<i>Management Track</i>	<i>Disposition Within</i>
Assault, Battery Premises Liability, Slip & Fall Other Personal Injury Torts to Land Motor Vehicle Property Damage Other Personal Property Damage Motor Vehicle Accident (under \$25,000) Insurance, Declaratory Judgment Negotiable Instruments Recovery of Overpayment Contracts for Goods Other Contract Foreclosure Rent, Lease, Ejectment Title to Real Property Replevin Appeals from District Justice Mechanic's Lien Other: Consumer or Credit	<4	Fast	10 months



<i>Case Type</i>	<i>Number of Parties</i>	<i>Management Track</i>	<i>Disposition Within</i>
Employment/Wrongful Discharge Assault, Battery Premises Liability, Slip & Fall Other Personal Injury Torts to Land Motor Vehicle Property Damage Other Personal Property Damage Motor Vehicle Accident (under \$25,000) Insurance, Declaratory Judgment Negotiable Instruments Recovery of Overpayment Contracts for Goods Other Contract Foreclosure Partition Right to Know Rent, Lease, Ejectment Title to Real Property Other: Consumer or Credit	>4	Standard	<18 months
Fraud Truth in Lending	Any Number	Standard	<18 months
Class Action Construction Contracts Medical Malpractice Toxic Waste, Contamination & Environmental Professional Malpractice Toxic Tort Personal Injury Stockholders Suits Defamation, Discrimination, Malicious Prosecution Motor Vehicle Accident (over \$25,000.00) Motor Vehicle Product Liability Product Liability Product Liability Property Damage Contract Product Liability	Any Number	Complex	<24 months

[Pa.B. Doc. No. 14-1082. Filed for public inspection May 23, 2014, 9:00 a.m.]

**CHESTER COUNTY****Adoption of New Rule of Criminal Procedure 507****Administrative Order No. 10-2014**

And Now, this 28th day of April, 2014, the Court approves and adopts the following Chester County Rule of Criminal Procedure C.C.R.Crim.P. 507. This rule shall become effective thirty (30) days from the date of publication in the *Pennsylvania Bulletin*. In conformity with Pa.R.Crim.P. Rule 105(E), (F) certified copies of this Order shall be distributed by the Court Administrator as follows: one certified copy filed with the Administrative Office of Pennsylvania Courts; two certified copies and a computer diskette containing the text of the local rule sent to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*; one copy of the local rule published on the Unified Judicial System's web site; and one copy filed with the Clerk of Courts.

By the Court

JAMES P. MacELREE, II,  
*President Judge*

**C.C.R.Crim.P. 507. Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth.**

The District Attorney of Chester County having filed a certification pursuant to Pa.R.Crim.P. 507, criminal com-

plaints and arrest warrant affidavits by police officers, as defined in the Rules of Criminal Procedure, charging the following offenses shall not hereafter be accepted by any judicial officer unless the complaint and affidavit have the approval of an attorney for the Commonwealth prior to filing:

1. Corrupt organizations in violation of 18 Pa.C.S.A. § 911;
2. Criminal homicide in violation of 18 Pa.C.S.A. § 2501;
3. Murder in any degree in violation of 18 Pa.C.S.A. § 2502;
4. Voluntary manslaughter in violation of 18 Pa.C.S.A. § 2503;
5. Involuntary manslaughter in violation of 18 Pa.C.S.A. § 2504;
6. Causing or aiding suicide in violation of 18 Pa.C.S.A. § 2505;
7. Drug delivery resulting in death in violation of 18 Pa.C.S.A. § 2506;
8. Criminal homicide of a law enforcement officer in violation of 18 Pa.C.S.A. § 2507;
9. Criminal homicide of an unborn child in violation of 18 Pa.C.S.A. § 2603;

10. Murder of an unborn child in violation of 18 Pa.C.S.A. § 2604;

11. Voluntary manslaughter of an unborn child in violation of 18 Pa.C.S.A. § 2605;

12. Assault of law enforcement officer in violation of 18 Pa.C.S.A. § 2702.1;

13. Threat to use weapons of mass destruction in violation of 18 Pa.C.S.A. § 2715;

14. Weapons of mass destruction in violation of 18 Pa.C.S.A. § 2716;

15. Terrorism in violation of 18 Pa.C.S.A. § 2717;

16. Kidnapping in violation of 18 Pa.C.S.A. § 2901;

17. Trafficking of persons in violation of 18 Pa.C.S.A. § 3002;

18. Homicide by vehicle in violation of 75 Pa.C.S.A. § 3732;

19. Homicide by vehicle while driving under the influence in violation of 75 Pa.C.S.A. § 3735;

20. Rape in violation of 18 Pa.C.S.A. § 3121;

21. Involuntary deviate sexual intercourse in violation of 18 Pa.C.S.A. § 3123;

22. Sexual assault in violation of 18 Pa.C.S.A. § 3124.1;

23. Institutional sexual assault in violation of 18 Pa.C.S.A. § 3124.2;

24. Aggravated indecent assault in violation of 18 Pa.C.S.A. § 3125;

25. Indecent assault in violation of 18 Pa.C.S.A. § 3126 (victim less than 16 years of age);

26. Arson in violation of 18 Pa.C.S.A. § 3301;

27. Incest in violation of 18 Pa.C.S.A. § 4302;

28. Concealing death of child in violation of 18 Pa.C.S.A. § 4303;

29. Bribery in official and political matters in violation of 18 Pa.C.S.A. § 4701;

30. Threats and other improper influence in official and political matters in violation of 18 Pa.C.S.A. § 4702;

31. Perjury in violation of 18 Pa.C.S.A. § 4902;

32. Interception, disclosure, or use of wire, electronic, or oral communications in violation of 18 Pa.C.S.A. § 5703;

33. Unlawful contact with a minor in violation of 18 Pa.C.S.A. § 6318;

34. Sexual exploitation of children in violation of 18 Pa.C.S.A. § 6320;

35. Attempt, conspiracy, or solicitation to commit any of the above offenses; and

36. All cases against juvenile defendants that are being direct filed into the adult system.

[Pa.B. Doc. No. 14-1083. Filed for public inspection May 23, 2014, 9:00 a.m.]

## LUZERNE COUNTY

### Order Amending Rule of Civil Procedure 1018.1; No. 5705 of 2014

#### Order

*And Now*, this 2nd day of May, 2014, the Luzerne County Rules of Civil Procedure (Luz.Co.R.Civ.P.) are hereby revised as follows:

1. Luzerne County Rule of Civil Procedure (Luz.Co.R.Civ.P.) 1018.1 is hereby amended as provided in the following copy of the same.

2. It is further Ordered that the Court Administrator shall file seven (7) certified copies of this Rule with the Administrative Office of Pennsylvania Courts, two (2) copies to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*, one (1) certified copy to the Civil Procedural Rules Committee, one (1) certified copy to the Judicial Council of Pennsylvania Statewide Rules Committee, and one (1) copy to the *Luzerne Legal Register* for publication in the next issue.

3. It is further Ordered that the effective date of this order shall be thirty (30) days after the date of publication in the *Pennsylvania Bulletin*.

4. It is further Ordered that these local rules shall be kept continuously available for public inspection and copying in the Office of Judicial Services and Records of Luzerne County.

*By the Court*

THOMAS F. BURKE, Jr.,  
*President Judge*

#### Luz.Co.R.Civ.P. Rule 1018.1. Notice to Defend. Form.

(a) In accordance with Pa.R.C.P. 1018.1, every complaint filed by a plaintiff and every complaint filed by a defendant against an additional defendant shall begin with a Notice to Defend.

(b) The Notice to Defend shall be in both English and Spanish.

(c) The required Notice to Defend shall be in substantially the following form:

(Caption)

#### NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claim set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by an attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED RATE OR NO FEE.

**AVISO**

A USTED SE LE HA DEMANDADO EN LA CORTE. Si usted quiere defenderse contra la demanda expuesta en las siguientes páginas, tiene que tomar acción en un plazo de veinte (20) días después que reciba esta demanda y aviso, por presentar una notificación de comparecencia escrita personalmente o por un abogado y radicar por escrito en la Corte sus defensas u objeciones a las demandas presentadas en su contra. Se le advierte que si falla en hacerlo, el caso podría seguir adelante sin usted y un fallo podría ser dictado en su contra por la Corte sin previo aviso por cualquier dinero reclamado en la demanda o por cualquier otro reclamo o desagravio pedido por el/la demandante. Puede que usted pierda dinero o propiedad u otros derechos importantes para usted. USTED DEBE LLEVAR ESTE DOCUMENTO A SU ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO, DIRÍJASE O LLAME POR TELÉFONO A LA OFICINA CUYA DIRECCIÓN SE ENCUENTRA ABAJO. ESTA OFICINA PUEDE PROVEERLE CON INFORMACIÓN SOBRE COMO CONTRATAR UN ABOGADO. SI NO TIENE LOS FONDOS SUFICIENTES PARA CONTRATAR UN ABOGADO, ESTA OFICINA PODRÍA PROPORCIONARLE INFORMACIÓN ACERCA

DE AGENCIAS QUE PUEDAN OFRECERLES SERVICIOS LEGALES A PERSONAS QUE REÚNAN LOS REQUISITOS A UN HONORARIO REDUCIDO O GRATIS.

North Penn Legal  
Services, Inc.  
33 N. Main Street,  
Suite 200  
Pittston, PA 18640  
(570) 299-4100  
(877) 953-4250 Toll free  
(570) 824-0001 Fax

101 West Broad Street  
Suite 513  
Hazleton, PA 18201  
(570) 455-9512  
(877) 953-4250 Toll free  
(570) 455-3625 Fax

Servicios Legales de North  
Penn, Inc.  
33 la Calle Main del Norte,  
Oficina 200  
Pittston, PA 18640  
(570) 299-4100  
(877) 953-4250 Llamada  
gratuita  
(570) 824-0001 Fax

101 la Calle Broad del Oeste  
Oficina 513  
Hazleton, PA 18201  
(570) 455-9512  
(877) 953-4250 Llamada  
gratuita  
(570) 455-3625 Fax

[Pa.B. Doc. No. 14-1084. Filed for public inspection May 23, 2014, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 58—RECREATION

### GAME COMMISSION

[ 58 PA. CODE CHS. 131 AND 141 ]

#### Preliminary Provisions; Hunting and Trapping

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 8, 2014, meeting amended §§ 131.2, 141.43—141.45 and 141.47 to lengthen the broadhead length limitation from 3 inches to 3.25 inches.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 44 Pa.B. 1440 (March 15, 2014).

##### 1. Purpose and Authority

Former regulations prohibited a person from hunting big game using an arrow or bolt equipped with a broadhead exceeding 3 inches in length. The Commission recently received a request to lengthen the broadhead length limitation to 3.25 inches to authorize certain handmade and commercially sold products. The Commission reviewed applicable safety and wildlife management concerns and determined that this nominal expansion of authorized broadheads will not have a negative impact on the wildlife resources of this Commonwealth. The Commission amended §§ 131.2, 141.43—141.45 and 141.47 to lengthen the broadhead length limitation from 3 inches to 3.25 inches.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” The amendments to §§ 131.2, 141.43—141.45 and 141.47 are adopted under this authority.

##### 2. Regulatory Requirements

The final-form rulemaking amends §§ 131.2, 141.43—141.45 and 141.47 to lengthen the broadhead length limitation from 3 inches to 3.25 inches.

##### 3. Persons Affected

Persons wishing to hunt or take game using a bow and arrow or crossbow and bolt may be affected by the final-form rulemaking.

##### 4. Comment and Response Summary

There were no official comments received regarding the final-form rulemaking.

##### 5. Cost and Paperwork Requirements

The final-form rulemaking should not result in additional cost or paperwork.

##### 6. Effective Date

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

##### 7. Contact Person

For further information regarding the final-form rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

##### Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

##### Order

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 131 and 141, are amended by amending §§ 131.2, 141.43—141.45 and 141.47 to read as set forth at 44 Pa.B. 1440.

(b) The Executive Director of the Commission shall certify this order and 44 Pa.B. 1440 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-361 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 14-1085. Filed for public inspection May 23, 2014, 9:00 a.m.]

### GAME COMMISSION

[ 58 PA. CODE CH. 139 ]

#### Seasons and Bag Limits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 8, 2014, meeting amended § 139.4 (relating to seasons and bag limits for the license year) to provide updated seasons and bag limits for the 2014-2015 hunting/trapping license year.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 44 Pa.B. 1442 (March 15, 2014).

##### 1. Purpose and Authority

To effectively manage the wildlife resources and provide hunting and trapping opportunities in this Commonwealth during the upcoming license year, the Commission amended § 139.4 to provide updated seasons and bag



limits for the 2014-2015 license year. The 2014-2015 seasons and bag limits have been amended to reflect current available scientific data, population and harvest records, field surveys and professional staff observations, as well as recommendations received from staff, organized sporting groups, members of the agricultural community and others interested in the management of the wildlife resources of this Commonwealth.

Several changes in hunting seasons and bag limits, when compared with the 2013-2014 regulations, were adopted. First, the small game field possession limits were increased to three times the daily bag. Migratory game bird possession limits were increased to three times the daily bag limit for the 2013-2014 hunting season. This change will make small game possession limits consistent with those for migratory game birds and provide increased hunting opportunity, particularly for nonresident hunters.

Fall turkey seasons from 2014 were reduced in wildlife management units (WMU) 3A, 3B and 3C from 3 weeks to 2 weeks, while retaining the 3-day Thanksgiving hunt segment. Population indices have been showing decreasing trends in each of these WMUs over the last 4 to 5 years. Low spring harvest densities, decreases in poult recruitment and summer sighting survey data also reflect declines warranting this action, which is consistent with guidelines in the Wild Turkey Management Plan. In all cases, a 1-week reduction in the first fall segment of the season is advised over elimination of the 3-day Thanksgiving season segment because it is likely to achieve a greater reduction in harvest.

Fall turkey seasons in WMU 5A were maintained at 3 days but shifted from midweek to a Thursday-Saturday framework. The turkey population in this WMU remains low, but is higher than prior to the season closure and flocks are well distributed. Including a Saturday in the 3-day season is expected to increase hunter opportunity and satisfaction and was recommended by the WMU 5A Wild Turkey Task Force.

WMUs 2C and 4B were added to the Wednesday through Saturday extended bear season that runs concurrent with deer season. WMU 2C has had a slightly increasing bear population trend, highway mortalities of bears also have been slowly increasing and there has been a noticeable increase in human-bear conflicts. WMU 4B also has had an increasing trend in human-bear conflicts with several incidents in recent years involving home entry or injury to pets and people. Vehicle mortalities of bears also has generally increased. Furthermore, harvest, which typically correlates well with annual population monitoring, has steadily increased by approximately 20% annually since 2003.

WMUs 1B and 3C were added to the fisher trapping season based on increased numbers of incidental captures and sightings during the past 3 years. All references to regulated harvest of skunks now specify the "striped skunk." Spotted skunks, a species of conservation concern, have a very limited distribution and low abundance in southwestern counties in this Commonwealth and should be excluded from any regulated harvest.

Section 322(c)(1) of the code (relating to powers and duties of commission) specifically empowers the Commission to "fix seasons, daily shooting or taking hours, and any modification thereof, and daily, season and possession limits for any species of game or wildlife." Section 2102(b)(1) of the code (relating to regulations) authorizes the Commission to "promulgate regulations relating to

seasons and bag limits for hunting or furtaking. . . ." The amendments to § 139.4 are adopted under this authority.

## 2. Regulatory Requirements

The final-form rulemaking amends § 139.4 by establishing when and where it is lawful to hunt and trap various game species and also place limits on the numbers that can be legally taken during the 2014-2015 hunting/trapping license year.

## 3. Persons Affected

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2014-2015 hunting/trapping license year will be affected by the final-form rulemaking.

## 4. Comment and Response Summary

The Commission received a total of 109 official comments concerning the final-form rulemaking. The comments received concerned the following subtopics.

*Deer seasons.* Eighty-eight comments were received concerning this subtopic: 1 expressed opposition to the deer management plan; 5 supported and 8 opposed opening regular firearms deer season on the Saturday after Thanksgiving; 1 supported a 1 deer per year bag limit; 1 supported and 3 opposed extending deer season; 1 supported extending regular firearms deer season to 3 weeks; 1 supported the expansion of the extended firearms deer season to all of WMU 2B; 5 supported and 54 opposed the 2-week concurrent deer season; 1 supported extending archery deer season through the close of archery bear season; 2 opposed the early muzzleloading deer season; 2 supported an early flintlock muzzleloading deer season prior to the regular firearms deer season; 2 supported opening flintlock muzzleloading deer season to inline muzzleloaders; and 1 supported extending the late flintlock muzzleloader season until Martin Luther King Day.

*Bear seasons.* Three comments received concerning this subtopic. Two comments opposed opening bear season on Saturday and one comment supported extending bear season in WMU 4B.

*Small game seasons.* Ten comments were received concerning this subtopic: five supported and two opposed early squirrel season; one supported opening squirrel season in the summer; one supported a longer grouse season; and one supported keeping small game season open until the fourth Saturday in February.

*Turkey seasons.* One comment was received concerning this subtopic requesting that spring gobbler season open on April 1.

*Furbearer hunting/trapping seasons.* Seven comments received concerning this subtopic: one supported a longer mink season; one supported a longer muskrat season; one supported a longer fisher season; one supported opening fisher season in WMU 4C; one supported opening fisher season in WMU 4A; one supported a longer bobcat season; and one supported a later fox and coon season.

## 5. Cost and Paperwork Requirements

The final-form rulemaking should not result in additional cost or paperwork.

## 6. Effective Date

The effective dates of the final-form rulemaking are July 1, 2014, to June 30, 2015.

7. *Contact Person*

For further information regarding the final-form rule-making, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

*Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

*Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 139, are amended by amending § 139.4 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order will be effective from July 1, 2014, to June 30, 2015.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-359 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 139. SEASONS AND BAG LIMITS**

**§ 139.4. Seasons and bag limits for the license year.**

**(SEASONS AND BAG LIMITS TABLE)**

**2014-2015 OPEN HUNTING AND FURTAKING SEASONS, DAILY LIMIT, FIELD POSSESSION LIMIT AND SEASON LIMIT OPEN SEASON INCLUDES FIRST AND LAST DATES LISTED**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second Day</i>
Squirrels (Combined species)— Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 11	Oct. 17	6	18
Squirrels (Combined species)	Oct. 18	Nov. 29	6	18
	Dec. 15	Dec. 24		
	Dec. 26	Feb. 21, 2015		
Ruffed Grouse	Oct. 18	Nov. 29	2	6
	Dec. 15	Dec. 24		
	Dec. 26	Jan. 24, 2015		
Rabbits, Cottontail— Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 11	Oct. 18	4	12
Rabbits, Cottontail	Oct. 25	Nov. 29	4	12
	Dec. 15	Dec. 24		
	Dec. 26	Feb. 21, 2015		

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second Day</i>
Ring-necked Pheasant—There is no open season for the taking of pheasants in any area designated as a wild pheasant recovery area within any wildlife management unit. The Director is authorized to open the pheasant season via executive order in a designated wild pheasant recovery area if the agency is unsuccessful in its efforts to acquire and release wild pheasants.				
Ring-necked Pheasant—Male only in WMUs 2A, 2C, 4C, 4E, 5A and 5B Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 11	Oct. 18	2	6
Ring-necked Pheasant—Male or female combined in WMUs 1A, 1B, 2B, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C and 5D Eligible Junior Hunters only, with or without the required license, when properly accompanied as required by law	Oct. 11	Oct. 18	2	6
Ring-necked Pheasant—Male only in WMUs 2A, 2C, 4C, 4E, 5A and 5B	Oct. 25	Nov. 29	2	6
	Dec. 15	Dec. 24		
	Dec. 26	Feb. 21, 2015		
Ring-necked Pheasant—Male or female combined in WMUs 1A, 1B, 2B, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4B, 4D, 5C and 5D	Oct. 25	Nov. 29	2	6
	Dec. 15	Dec. 24		
	Dec. 26	Feb. 21, 2015		
Bobwhite Quail—The hunting and taking of bobwhite quail is permitted in all WMUs except in WMUs 4A, 4B, 5A, 5B, 5C and 5D where the season is closed.	Oct. 25	Nov. 29	4	12
Hares (Snowshoe Rabbits) or Varying Hares in WMUs 3B, 3C and 3D	Dec. 26	Dec. 29	1	3
Hares (Snowshoe Rabbits) or Varying Hares in WMUs 1A, 1B, 2A, 2B, 2C, 2D, 2E, 2F, 2E, 2F, 2G, 2H, 3A, 4A, 4B, 4C, 4D, 4E, 5A, 5B, 5C and 5D	Dec. 26	Jan. 1, 2015	1	3
Woodchucks (Groundhog)	No closed season except during the regular firearms deer seasons. Hunting on Sundays is prohibited.		Unlimited	
Porcupines Season closed during the overlap with the regular firearms deer seasons.	Sep. 1	Mar. 31, 2015	3	10
<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Wild Turkey—Male or Female			1	1
WMU 2B (Shotgun, Bow and Arrow only)	Nov. 1	Nov. 21		
	Nov. 27	Nov. 29		
WMU 1B	Nov. 1	Nov. 8		
	Nov. 27	Nov. 29		

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
WMUs 1A, 2A, 2D, 2F, 2G, 2H, 3A, 3B and 3C	Nov. 1	Nov. 15		
	and			
	Nov. 27	Nov. 29		
WMUs 2C, 2E, 3D, 4A, 4B, 4C, 4D and 4E	Nov. 1	Nov. 21		
	and			
	Nov. 27	Nov. 29		
WMU 5A	Nov. 6	Nov. 8		
WMUs 5B, 5C and 5D	Closed to fall turkey hunting			
Wild Turkey (Spring Gobbler) Statewide <sup>1</sup> Bearded Bird only	May 2, 2015	May 16, 2015	1 May be hunted 1/2 hour before sunrise to 12 noon	2
	and			
	May 18, 2015	May 30, 2015	May be hunted 1/2 hour before sunrise to 1/2 hour after sunset	
Wild Turkey (Spring Gobbler) Statewide Youth Hunt <sup>1</sup> Bearded Bird only Eligible junior hunters only with the required license and when properly accompanied	April 25, 2015	April 25, 2015	1	1

**MIGRATORY GAME BIRDS**

Except as further restricted by this chapter, the seasons, bag limits, hunting hours and hunting regulations for migratory game birds shall conform to regulations adopted by the United States Secretary of the Interior under authority of the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712) as published in the *Federal Register* on or about August 27 and September 28 of each year.

*Exceptions:*

- (a) Hunting hours in § 141.4 (relating to hunting hours).
- (b) Nontoxic shot as approved by the Director of the United States Fish and Wildlife Service is required for use Statewide in hunting and taking of migratory waterfowl.

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After First Day</i>
Crows (Hunting permitted on Friday, Saturday and Sunday only)	July 4	April 5, 2015	Unlimited	
Starlings and English Sparrows	No closed season except during the regular firearms deer seasons.		Unlimited	
Eurasian Collared-Dove	Season dates shall run concurrently with mourning dove season.		Shall be counted as part of the aggregate daily limits for mourning dove season.	

**FALCONRY**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Field Possession Limit After Second Day</i>
Squirrels—(Combined species)	Sept. 1	Mar. 31, 2015	6	18
Quail	Sept. 1	Mar. 31, 2015	4	12
Ruffed Grouse	Sept. 1	Mar. 31, 2015	2	6
Cottontail Rabbits	Sept. 1	Mar. 31, 2015	4	12
Snowshoe or Varying Hare	Sept. 1	Mar. 31, 2015	1	3
Ring-necked Pheasant—Male and Female (Combined)	Sept. 1	Mar. 31, 2015	2	6

Migratory Game Birds—Seasons and bag limits shall be in accordance with Federal regulations.



## WHITE-TAILED DEER

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Season Limit</i>
Deer, Archery (Antlered and Antlerless) <sup>2</sup> (Statewide)	Oct. 4 and Dec. 26	Nov. 15  Jan. 10, 2015	One antlered and an antlerless deer with each required antlerless license.
Deer, Archery (Antlerless) WMUs 2B, 5C and 5D	Sep. 20 and Nov. 17	Oct. 3  Nov. 29	An antlerless deer with each required antlerless license.
Deer, Archery (Antlered and Antlerless) <sup>2</sup> WMUs 2B, 5C and 5D	Jan. 12, 2015	Jan. 24, 2015	One antlered and an antlerless deer with each required antlerless license.
Deer, Regular firearms (Antlered and Antlerless) <sup>2</sup> WMUs 1A, 1B, 2B, 3A, 3D, 5A, 5B, 5C and 5D	Dec. 1	Dec. 13	One antlered, and an antlerless deer with each required antlerless license.
Deer, Regular firearms (Antlered only) <sup>2</sup> WMUs 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3B, 3C, 4A, 4B, 4C, 4D and 4E	Dec. 1	Dec. 5	One antlered deer.
Deer, Regular firearms (Antlered and Antlerless) <sup>2</sup> WMUs 2A, 2C, 2D, 2E, 2F, 2G, 2H, 3B, 3C, 4A, 4B, 4C, 4D and 4E	Dec. 6	Dec. 13	One antlered, and an antlerless deer with each required antlerless license.
Deer, Special firearms (Antlerless only) (Statewide) Only Junior and Senior License Holders, <sup>3</sup> Commission Disabled Person Permit Holders (to use a vehicle as a blind) and Residents serving on active duty in the United States Armed Forces, or in the United States Coast Guard, with required antlerless license	Oct. 23	Oct. 25	An antlerless deer with each required antlerless license.
Deer, Muzzleloading (Antlerless only) (Statewide)	Oct. 18	Oct. 25	An antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) <sup>2</sup> (Statewide)	Dec. 26	Jan. 10, 2015	One antlered, or one antlerless—plus an additional antlerless deer with each required antlerless license.
Deer, Flintlock (Antlered or Antlerless) <sup>2</sup> WMUs 2B, 5C and 5D	Dec. 26	Jan. 24, 2015	One antlered, or one antlerless—plus an additional antlerless deer with each required antlerless license.
Deer, Extended Regular firearms (Antlerless) Counties of Allegheny, Bucks, Chester, Delaware, Montgomery and Philadelphia	Dec. 26	Jan. 24, 2015	An antlerless deer with each required antlerless license.
Deer, Antlerless (Letterkenny Army Depot, Franklin County, and New Cumberland Army Depot, York County, and Fort Detrick, Raven Rock Site, Adams County)	Hunting is permitted on days established by the United States Department of the Army.		An antlerless deer with each required antlerless license.

## BLACK BEAR

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Bear, Archery only <sup>4</sup> (Statewide)	Nov. 17	Nov. 21	1	1
Bear, Archery only <sup>4</sup> WMUs 2B, 5C and 5D	Sep. 20	Nov. 15	1	1

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Bear, Archery only <sup>4</sup> WMU 5B	Oct. 4	Nov. 15	1	1
Bear, Muzzleloader <sup>4</sup> WMUs 2B, 5B, 5C and 5D	Oct. 18	Oct. 25	1	1
Bear, Special Firearms <sup>4</sup> WMUs 2B, 5B, 5C and 5D Junior and Senior License holders, disabled and PA residents on active duty in armed services	Oct. 23	Oct. 25	1	1
Bear, Regular Firearms <sup>4</sup> (Statewide)	Nov. 22	Nov. 26	1	1
Bear, Extended Firearms <sup>4</sup> WMUs 2C, 4B, 4C, 4D and 4E	Dec. 3	Dec. 6	1	1
Bear, Extended Firearms <sup>4</sup> WMUs 2B, 5B, 5C and 5D	Dec. 1	Dec. 13	1	1
Bear, Extended Firearms <sup>4</sup> WMUs 3A, 3B, 3C and 3D	Dec. 1	Dec. 6	1	1

**ELK**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Elk, Regular <sup>5</sup> (Antlered and Antlerless)	Nov. 3	Nov. 8	1	One elk with required license
Elk, Extended <sup>5</sup> (Antlered and Antlerless)	Nov. 10	Nov. 15	1	One elk with required license

**FURTAKING—TRAPPING**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Minks and Muskrats (Statewide)	Nov. 22	Jan. 11, 2015	Unlimited	
Beaver (Statewide)	Dec. 26	Mar. 31, 2015		
WMUs 1A, 1B and 3C (Combined)			20	40
WMUs 2A, 2B, 2C, 2D, 2E, 2F, 3A, 3B, 3D, 5C and 5D (Combined)			20	20
WMUs 2G, 2H, 4A, 4B, 4C, 4D, 4E, 5A and 5B (Combined)			5	5
Coyotes, Foxes, Opossums, Raccoons, Striped Skunks, Weasels—(Statewide)	Oct. 26	Feb. 22, 2015	Unlimited	
Coyotes & Foxes—(Statewide) (Cable restraint devices may be used)	Dec. 26	Feb. 22, 2015	Unlimited	
Bobcat (with appropriate permit) WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4C, 4D and 4E	Dec. 20	Jan. 11, 2015	1	1
Fisher (with appropriate permit) WMUs 1B, 2C, 2D, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4D and 4E	Dec. 20	Dec. 25	1	1

**FURTAKING—HUNTING**

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Coyotes—(Statewide)	Outside of any big game season may be taken with a hunting license or a furtaker's license and without wearing orange.		Unlimited	

<i>Species</i>	<i>First Day</i>	<i>Last Day</i>	<i>Daily Limit</i>	<i>Season Limit</i>
Coyotes—(During any big game season)	May be taken while lawfully hunting big game or with a furtaker's license.			
Opossums, Striped Skunks, Weasels (Statewide)	No closed season.			
Raccoons and Foxes—(Statewide)	Oct. 25	Feb. 21, 2015	Unlimited	
Bobcat (with appropriate permit)				
WMUs 2A, 2C, 2E, 2F, 2G, 2H, 3A, 3B, 3C, 3D, 4A, 4C, 4D and 4E	Jan. 20, 2015	Feb. 10, 2015	1	1

No open seasons on other wild birds or wild mammals.

<sup>1</sup> Only persons who possess a special wild turkey license as provided for in section 2709 of the act (relating to license costs and fees) may take a second spring gobbler during the hunting license year; all other persons, including mentored youth hunters, may take only one spring gobbler. A maximum of two gobblers per license year may be taken by any combination of licenses or exceptions for mentored youth.

<sup>2</sup> Only one antlered deer (buck) may be taken during the hunting license year.

<sup>3</sup> Includes persons who have reached or will reach their 65th birthday in the year of the application for the license and hold a valid adult license or qualify for license and fee exemptions under section 2706 of the act (relating to resident license and fee exemptions).

<sup>4</sup> Only one bear may be taken during the hunting license year.

<sup>5</sup> Only one elk may be taken during the hunting license year.

[Pa.B. Doc. No. 14-1086. Filed for public inspection May 23, 2014, 9:00 a.m.]

## GAME COMMISSION

### [ 58 PA. CODE CHS. 141 AND 147 ]

#### Hunting and Trapping; Special Permits

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 8, 2014, meeting amended § 141.1 (relating to special regulations areas) and adopted §§ 147.681—147.687 (relating to deer attractant permit) to create and implement a deer attractant permit to authorize limited baiting activities on private property in the southeast special regulations area.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 44 Pa.B. 1438 (March 15, 2014).

#### 1. *Purpose and Authority*

On March 31, 2010, the Commission's 3-year evaluation of the effectiveness of a broad scale and widely accessible authorization permitting the baiting of white-tailed deer across the southeast special regulations area expired. The Commission's final review of the baiting authorization generally concluded that broad scale and widely accessible baiting did not establish viable increases in harvest rates to justify an extension of the experimental program. On February 1, 2011, the Commission amended §§ 147.552 and 147.556 (relating to application; and lawful devices and methods) to create a focused, limited authorization permitting the baiting of white-tailed deer in wildlife management units (WMU) 5C and 5D on approved properties enrolled in the "Red Tag" program. See 41 Pa.B. 1767 (April 2, 2011). The Commission amended § 141.1 and adopted §§ 147.681—147.687 to create and implement a deer attractant permit to authorize limited baiting activities on private property in the southeast special regulations area.

Section 2102(a) of the code (relating to regulations) provides that "[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." Sections 147.681—147.687 and the amendments to § 141.1 are adopted under this authority.

#### 2. *Regulatory Requirements*

The final-form rulemaking amends § 141.1 and adds §§ 147.681—147.687 to create and implement a deer attractant permit to authorize limited baiting activities on private property in the southeast special regulations area.

#### 3. *Persons Affected*

Persons wishing to hunt or take game wildlife in the southeast special regulations area may be affected by the final-form rulemaking.

#### 4. *Comment and Response Summary*

The Commission received a total of nine written comments in support of the final-form rulemaking.

#### 5. *Cost and Paperwork Requirements*

The final-form rulemaking may result in some additional cost and paperwork associated with the creation and implementation of this new permit in the Commission's existing permitting system. However, the Commission has determined that if there is additional expense associated with this effort, it will not be substantial and would be absorbed by the current budget.

#### 6. *Effective Date*

The amendments to § 141.1 will be effective upon publication in the *Pennsylvania Bulletin* and will remain

in effect until changed by the Commission. Sections 147.681—147.687 become effective July 1, 2014, and expire and are rendered void on June 30, 2017, unless the Commission further authorizes their legal effectiveness prior to this termination date.

#### 7. Contact Person

For further information regarding the final-form rule-making, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

#### Order

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapters 141 and 147, are amended by amending § 141.1 and by adding §§ 147.681—147.687 to read as set forth at 44 Pa.B. 1438.

(b) The Executive Director of the Commission shall certify this order and 44 Pa.B. 1438 and deposit them with the Legislative Reference Bureau as required by law.

(c) The amendments to § 141.1 will be effective upon publication in the *Pennsylvania Bulletin*. Sections 147.681—147.687 become effective July 1, 2014, and expire and are rendered void on June 30, 2017, unless the Commission further authorizes their legal effectiveness prior to this termination date.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-365 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 14-1087. Filed for public inspection May 23, 2014, 9:00 a.m.]

### GAME COMMISSION [ 58 PA. CODE CH. 141 ] Hunting and Trapping; Elk

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 8, 2014, meeting amended § 141.47 (relating to elk) to eliminate the Route 555 corridor safety zone.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 44 Pa.B. 1435 (March 15, 2014).

#### 1. Purpose and Authority

In 2004, the Board of Commissioners adopted regulations creating a 150-yard safety zone for elk along the Route 555 corridor from Weedville to Hicks Run in an effort to address existing problems with road hunting and the killing of highly visible elk in yards and public places found within this area. The Commission determined that this safety zone is no longer necessary and that existing laws and regulations can adequately protect the public and wildlife from unsafe or unethical behavior. Furthermore, the Commission also determined that harvest of some of the elk within this corridor is necessary to maintain elk populations in more appropriate habitats. The Commission amended § 141.47 to eliminate the Route 555 corridor safety zone.

Section 322(c)(4) of the code (relating to powers and duties of commission) specifically authorizes the Commission to “[d]efine geographic limitations or restrictions.” Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The amendments to § 141.47 are adopted under this authority.

#### 2. Regulatory Requirements

The final-form rulemaking amends § 141.47 to eliminate the Route 555 corridor safety zone.

#### 3. Persons Affected

Persons owning property or wishing to hunt elk within the Route 555 corridor safety zone will be affected by the final-form rulemaking.

#### 4. Comment and Response Summary

There were no official comments received regarding the final-form rulemaking.

#### 5. Cost and Paperwork Requirements

The final-form rulemaking should not result in additional cost or paperwork.

#### 6. Effective Date

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 7. Contact Person

For further information regarding the final-form rule-making, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.



*Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending § 141.47 to read as set forth at 44 Pa.B. 1435.

(b) The Executive Director of the Commission shall certify this order and 44 Pa.B. 1435 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-360 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 14-1088. Filed for public inspection May 23, 2014, 9:00 a.m.]

**GAME COMMISSION**  
**[ 58 PA. CODE CH. 141 ]**  
**Hunting and Trapping; Beaver Trapping**

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 8, 2014, meeting amended § 141.62 (relating to beaver trapping) to expand the trap authorization to 10 inches in height by 12 inches in width.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 44 Pa.B. 1435 (March 15, 2014).

**1. Purpose and Authority**

Former regulations prohibited a person from trapping beaver using a body-gripping trap larger than 10 inches by 10 inches. The Commission recently received a request to expand the trap authorization to 10 inches in height by 12 inches in width to accommodate certain commercially available products. The Commission reviewed applicable safety and wildlife management concerns and determined that this nominal expansion of authorized body-gripping traps would not have a negative impact on the wildlife resources of this Commonwealth. The Commission amended § 141.62 to expand the trap authorization to 10 inches in height by 12 inches in width.

Section 2102(d) of the code (relating to regulations) authorizes the Commission to “promulgate regulations stipulating the size and type of traps, the type of firearms and ammunition and other devices which may be used, the manner in which and the location where the devices may be used, the species the devices may be used for and the season when the devices may be used.” The amendments to § 141.62 are adopted under this authority.

**2. Regulatory Requirements**

The final-form rulemaking amends § 141.62 to expand the trap authorization to 10 inches in height by 12 inches in width.

**3. Persons Affected**

Persons wishing to trap beaver through the use of body-gripping traps within this Commonwealth will be affected by the final-form rulemaking.

**4. Comment and Response Summary**

There were no official comments received regarding the final-form rulemaking.

**5. Cost and Paperwork Requirements**

The final-form rulemaking should not result in additional cost or paperwork.

**6. Effective Date**

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

**7. Contact Person**

For further information regarding the final-form rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

**Findings**

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

**Order**

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending § 141.62 to read as set forth in Annex A.

(b) The Executive Director of the Commission shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-364 remains valid for the final adoption of the subject regulation.

**Annex A**

**TITLE 58. RECREATION**

**PART III. GAME COMMISSION**

**CHAPTER 141. HUNTING AND TRAPPING**

**Subchapter D. FURBEARERS**

**§ 141.62. Beaver trapping.**

(a) *General.* There shall be one durable identification tag attached to each trap or snare by means of an extension wire of sufficient length so that the name tag is completely above the water or ice level and totally visible for inspection purposes. The name tag shall visibly set forth the owner's first and last name and legal home address, or a number issued by the Commission.



(b) *Unlawful acts.* It is unlawful to:

(1) Place, or make use of, materials or products except raw native wood or stone to direct the travel of beaver. Man-made materials may be used only to support traps or snares.

(2) Place, check, reset or tend a trap or snare on an established beaver dam or beaver house, or within 15 feet of either a dam or a house. Measurement shall be from directly above the trap or snare, across the water, ice or land to the nearest point of the structure.

(3) Set body gripping traps larger than 10 inches in height by 12 inches in width.

(4) Set, tend or operate more than a combined State-wide total of 20 traps or snares no more than 10 of which may be traps. No more than 2 of the traps may be body gripping traps except in Wildlife Management Units where beaver bag limits are 40 or more per season.

(5) Check, set, reset or otherwise maintain a beaver trap or snare, or remove a beaver from a trap or snare, unless the person is identified by the attached name tag as the owner. This paragraph does not prohibit the lending of assistance when the person whose name appears on the trap tag is present.

(6) Equip snares with a spring-activating mechanism or any device designed to aid the closing of the snare loop.

[Pa.B. Doc. No. 14-1089. Filed for public inspection May 23, 2014, 9:00 a.m.]

## GAME COMMISSION

### [ 58 PA. CODE CH. 141 ]

### Hunting and Trapping; Hunting Hours

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 8, 2014, meeting amended Chapter 141, Appendix G (relating to hunting hours) by replacing the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2014-2015 hunting/trapping license year.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 44 Pa.B. 1436 (March 15, 2014).

#### 1. *Purpose and Authority*

Each year there is a shift in calendar days for each month. As a result of this occurrence, the time tables in Appendix G must be amended and updated on an annual basis to accurately reflect the upcoming year's dates and hours for legal hunting. The Commission amended Appendix G to replace the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2014-2015 hunting/trapping license year.

Section 322(c)(1) of the code (relating to powers and duties of commission) specifically empowers the Commission to "fix seasons, daily shooting or taking hours, and any modification thereof, and daily, season and possession

limits for any species of game or wildlife." Section 2102(a) of the code (relating to regulations) provides that "[t]he commission shall promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth." The amendments to Appendix G are adopted under this authority.

#### 2. *Regulatory Requirements*

The final-form rulemaking amends Appendix G by replacing the current hunting hours table and migratory bird hunting hours table to accurately reflect the dates and hours of legal hunting for the 2014-2015 hunting/trapping license year.

#### 3. *Persons Affected*

Persons wishing to hunt or trap game or wildlife within this Commonwealth during the 2014-2015 hunting year will be affected by the final-form rulemaking.

#### 4. *Comment and Response Summary*

There were no official comments received regarding the final-form rulemaking.

#### 5. *Cost and Paperwork Requirements*

The final-form rulemaking should not result in additional cost or paperwork.

#### 6. *Effective Date*

The effective dates of the final-form rulemaking are July 1, 2014, to June 30, 2015.

#### 7. *Contact Person*

For further information regarding the final-form rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

#### *Findings*

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

#### *Order*

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 141, are amended by amending Appendix G to read as set forth at 44 Pa.B. 1436.

(b) The Executive Director of the Commission shall certify this order and 44 Pa.B. 1436 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order will be effective from July 1, 2014, to June 30, 2015.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-363 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 14-1090. Filed for public inspection May 23, 2014, 9:00 a.m.]

## GAME COMMISSION [ 58 PA. CODE CH. 147 ]

### Special Permits; Mentored Hunting Program Permit

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 8, 2014, meeting amended Chapter 147, Subchapter X (relating to Mentored Hunting Program Permit) to create and implement a Mentored Adult Hunting Program in this Commonwealth.

The final-form rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the final-form rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

Notice of proposed rulemaking was published at 44 Pa.B. 1448 (March 15, 2014).

#### 1. Purpose and Authority

Since the successful implementation of the Mentored Youth Hunting Program in fall 2006, the Commission has been striving to find a way to apply the successes of this mentor-based program to nonhunting adults in this Commonwealth. The Commission determined that a program could entice increased adult participation in this Commonwealth's great hunting heritage by streamlining their introduction to the sport of hunting. The act of May 15, 2013 (P. L. 26, No. 7) authorizes the Commission to implement a Mentored Hunting Program in this Commonwealth. The Commission amended Chapter 147, Subchapter X to create and implement a Mentored Adult Hunting Program. The Mentored Adult Hunting Program will maintain the mentor-based structure of the Mentored Youth Hunting Program, but will have different species allowances, costs and safety features. Adult participants will now be able to apply for and receive a Mentored Adult Hunting Permit through the Pennsylvania Automated License System at any of the Commission's issuing agent locations across this Commonwealth prior to participating in the Mentored Adult Hunting Program. Permit application will require participants to supply the required identification information and pay a fee of \$19 for residents and \$100 for nonresidents, plus any applicable transactional and issuing agent fees.

Section 2901(b) of the code (relating to authority to issue permits) provides "the commission may, as deemed necessary to properly manage the game or wildlife resources, promulgate regulations for the issuance of any permit and promulgate regulations to control the activities which may be performed under authority of any permit issued." The amendments to Chapter 147, Subchapter X are adopted under this authority.

#### 2. Regulatory Requirements

The final-form rulemaking amends Chapter 147, Subchapter X to create and implement a Mentored Adult Hunting Program in this Commonwealth.

#### 3. Persons Affected

Persons of majority age wishing to hunt or take game or wildlife in this Commonwealth may be affected by the final-form rulemaking.

#### 4. Comment and Response Summary

There were no official comments received regarding the final-form rulemaking.

#### 5. Cost and Paperwork Requirements

The final-form rulemaking may result in some additional cost and paperwork associated with the implementation of these changes in Pennsylvania Automated License System. However, the Commission has determined that if there is additional expense associated with this effort, it will not be substantial and would be absorbed by the current budget.

#### 6. Effective Date

The final-form rulemaking will be effective upon publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 7. Contact Person

For further information regarding the final-form rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

#### Findings

The Commission finds that:

(1) Public notice of intention to adopt the administrative amendments adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The adoption of the amendments of the Commission in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statute.

#### Order

The Commission, acting under the authorizing statute, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 147, are amended by amending §§ 147.801—147.807 to read as set forth at 44 Pa.B. 1448.

(b) The Executive Director of the Commission shall certify this order and 44 Pa.B. 1448 and deposit them with the Legislative Reference Bureau as required by law.

(c) This order shall become effective upon final-form publication in the *Pennsylvania Bulletin*.

R. MATTHEW HOUGH,  
*Executive Director*

**Fiscal Note:** Fiscal Note 48-362 remains valid for the final adoption of the subject regulations.

[Pa.B. Doc. No. 14-1091. Filed for public inspection May 23, 2014, 9:00 a.m.]

# PROPOSED RULEMAKING

## GAME COMMISSION

[ 58 PA. CODE CH. 133 ]

### Wildlife Classification; General

To effectively manage the wildlife resources of this Commonwealth, the Game Commission (Commission) at its April 8, 2014, meeting proposed to add § 133.6 (relating to Eurasian collared-dove) to reclassify Eurasian collared-doves as a game bird and additionally require a general hunting license and a migratory license to hunt these birds.

The proposed rulemaking will not have an adverse impact on the wildlife resources of this Commonwealth.

The authority for the proposed rulemaking is 34 Pa.C.S. (relating to Game and Wildlife Code) (code).

The proposed rulemaking was made public at the April 8, 2014, meeting of the Commission. Comments can be sent, until June 6, 2014, to the Director, Bureau of Information and Education, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797.

#### 1. Purpose and Authority

Native to Europe and Asia, Eurasian collared-doves were first introduced to the Bahamas in the 1970s, made their way to Florida by the 1980s and then rapidly colonized most of North America. The first collared dove sighting in this Commonwealth occurred in 1996, with the first breeding population in this Commonwealth established by 2004. The second Pennsylvania Breeding Bird Atlas (2004-2008) found possible breeding populations in 15 survey blocks in 8 counties. Studies on interactions between collared-doves and other species have not yet shown a negative impact on populations of native birds, including mourning doves, though this information is preliminary and largely based on species interactions in milder climates where competition for feeding and nesting resources may not be as strong. As an introduced invasive species, Eurasian collared-doves are not protected under the Migratory Bird Treaty Act (16 U.S.C.A. §§ 703—712). However, Eurasian collared-doves are not designated as game birds in this Commonwealth and must be classified as a game bird to create a hunting season concurrent with mourning doves. Since Eurasian collared-doves are difficult to distinguish from mourning doves in the field, a hunter inadvertently taking a collared dove would be in violation of State law. Conversely, designating collared-doves as exotic species with year-round take could lead to mistaken mourning dove kills. This situation would be remedied by classifying Eurasian collared-doves as a game bird, with hunting seasons concurrent with mourning doves and part of an aggregate daily bag and possession limits. The Commission is proposing to add § 133.6 to reclassify Eurasian collared-doves as a game bird and require a general hunting license and a migratory license to hunt these birds.

Section 322(c)(8) of the code (relating to powers and duties of commission) specifically empowers the commission to “[a]dd to or change the classification of any wild bird or wild animal.” Section 2102(a) of the code (relating to regulations) provides that “[t]he commission shall

promulgate such regulations as it deems necessary and appropriate concerning game or wildlife and hunting or furtaking in this Commonwealth, including regulations relating to the protection, preservation and management of game or wildlife and game or wildlife habitat, permitting or prohibiting hunting or furtaking, the ways, manner, methods and means of hunting or furtaking, and the health and safety of persons who hunt or take wildlife or may be in the vicinity of persons who hunt or take game or wildlife in this Commonwealth.” The adoption of § 133.6 is proposed under this authority.

#### 2. Regulatory Requirements

The proposed rulemaking will add § 133.6 to reclassify Eurasian collared-doves as a game bird and require a general hunting license and a migratory license to hunt these birds.

#### 3. Persons Affected

Persons wishing to hunt Eurasian collared-doves or mourning doves within this Commonwealth will be affected by the proposed rulemaking.

#### 4. Cost and Paperwork Requirements

The proposed rulemaking should not result in additional cost or paperwork.

#### 5. Effective Date

The proposed rulemaking will be effective upon final-form publication in the *Pennsylvania Bulletin* and will remain in effect until changed by the Commission.

#### 6. Contact Person

For further information regarding the proposed rulemaking, contact Richard R. Palmer, Director, Bureau of Wildlife Protection, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, (717) 783-6526.

R. MATTHEW HOUGH,  
Executive Director

**Fiscal Note:** 48-366. No fiscal impact; (8) recommends adoption.

#### Annex A

#### TITLE 58. RECREATION

#### PART III. GAME COMMISSION

#### CHAPTER 133. WILDLIFE CLASSIFICATION

#### Subchapter A. GENERAL

#### § 133.6. Eurasian collared-dove.

The Eurasian collared-dove (*Streptopelia decaocto*) is classified as a game bird. For the purpose of licensing, Eurasian collared-doves may be hunted with a general hunting license and a migratory bird license.

[Pa.B. Doc. No. 14-1092. Filed for public inspection May 23, 2014, 9:00 a.m.]



# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Public Hearing and Business Meeting

The Delaware River Basin Commission (Commission) will hold a public hearing on Tuesday, June 10, 2014. A business meeting will be held the following day on Wednesday, June 11, 2014. The hearing and business meeting are open to the public and will take place at the Washington Crossing Historic Park Visitor Center, 1112 River Road, Washington Crossing, PA.

**Public hearing.** The public hearing on June 10, 2014, will begin at 1:30 p.m. Hearing items will include draft dockets for the withdrawals, discharges and other water-related projects listed as follows and for resolutions: (1) extending the Commission's Monitoring Advisory Committee; (2) authorizing the Executive Director to contract for laboratory analysis of ambient main stem and tributary samples for acute and chronic toxicity; and (3) authorizing the Executive Director to enter into a Memorandum of Understanding with the United States Army Corps of Engineers for Repairs and Improvements at Blue Marsh Dam. Written comments on draft dockets and the resolution scheduled for hearing on June 10, 2014, will be accepted through the close of the hearing that day. After the hearing on all scheduled matters has been completed, the meeting will include an opportunity for public dialogue.

Draft dockets and resolutions scheduled for hearing are posted on the Commission's web site at [www.drbc.net](http://www.drbc.net) 10 days prior to the hearing date. Additional public records relating to the hearing items may be examined at the Commission's offices. Contact Project Review Section assistant Victoria Lawson at (609) 883-9500, Ext. 216, with any questions concerning these items.

The public is advised to check the Commission's web site periodically prior to the hearing date, as items scheduled for hearing may be postponed if additional time is deemed necessary to complete the Commission's review. In reviewing docket descriptions, also be aware that project details commonly change in the course of the Commission's review, which is ongoing.

1. *Berks-Montgomery Municipal Authority, D-1973-060 CP-3.* An application to renew the approval of the applicant's 0.38 million gallons per day (mgd) Morysville wastewater treatment plant (WWTP) and its discharge. The WWTP will continue to discharge treated effluent to Ironstone Creek at River Mile 92.47—54.15—4.0—4.1 (Delaware River—Schuylkill River—Manatawny Creek—Ironstone Creek) by means Outfall No. 001, in Colebrookdale Township, Berks County, PA.

2. *Town of Bethel, D-1974-196 CP-3.* An application to renew the approval of the applicant's existing 0.6 mgd Kauneonga Lake WWTP and its discharge. Treated effluent will continue to be discharged to White Lake Brook at River Mile 261.10—16.21—5.43 (Delaware River—Mongaup River—White Lake Brook) by means of Outfall No. 001, within the drainage area to the Upper Delaware, which is classified as Special Protection Waters, in the Town of Bethel, Sullivan County, NY.

3. *Giorgio Foods, Inc., D-1988-043-3.* An application to renew the approval of the applicant's 0.5 mgd industrial

wastewater treatment plant (IWTP) and its discharge. The IWTP will continue to discharge treated effluent to Willow Creek, a tributary of Maiden Creek, which is a tributary of the Schuylkill River, at River Mile 92.47—86.7—0.6—2.4—0.6 (Delaware River—Schuylkill River—Maiden Creek—Willow Creek) in Maiden Creek Township, Berks County, PA.

4. *Grand Central Sanitary Landfill, Inc., D-1988-052-4.* An application to renew the approval of the applicant's existing 0.1 mgd IWTP and its discharge. No changes are proposed to the surface water discharge except to provide that a portion of the treated effluent may be reused in the future for dust control, tire washing and reuse within the plant. Treated effluent that is not used for alternative uses will continue to be discharged to the Little Bushkill Creek at River Mile 184.1—8.5—8.6 (Delaware River—Bushkill Creek—Little Bushkill Creek) by means of Outfall No. 001, within the drainage area of the portion of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Plainfield Township, Northampton County, PA.

5. *Aqua Pennsylvania, Inc., D-1990-050 CP-3.* An application to renew the approval of an existing groundwater withdrawal (GWD) of up to 92.0 million gallons per month (mgm) to supply the applicant's public water supply system from existing Wells Nos. 1—10 completed in Cambrian Quartz Dolomite and Granitic Gneiss. The requested allocation is not an increase from the previous allocation. Wells Nos. 3—6 are located within the Commission's designated Ground Water Protected Area (GWPA) in the West Valley Creek Watershed. Wells Nos. 1 and 2 are located in the East Brandywine Creek Watershed; Wells Nos. 7 and 8 are located in the Marsh Creek Watershed; and Wells Nos. 9 and 10 are located in the Black Horse Creek Watershed, all in Upper Uwchlan Township, Chester County, PA.

6. *Walnutport Authority, D-1990-087 CP-3.* An application to renew the approval of an existing GWD of up to 8.267 mgm to supply the applicant's public water supply distribution system from existing Wells Nos. 1—5 and Heimbach Well completed in the Pen Argyl Member of the Martinsburg Formation. The requested allocation is not an increase from the previous allocation. The wells are located in the Lehigh River Watershed in Walnutport Borough and Lehigh Township, Northampton County, PA, within the drainage area of the portion of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

7. *Blue Ridge Real Estate Company, D-1991-046-3.* An application to renew the approval of an existing surface water withdrawal (SWWD) of up to 12.4 mgm to irrigate the applicant's Jack Frost Ski Area golf course from an existing surface water intake on Tobyhanna Creek. The requested allocation is not an increase from the previous allocation. The surface water intake is located in the Tobyhanna Creek Watershed in Kidder Township, Carbon County, PA, within the drainage area of the portion of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

8. *Waltz Golf Farm, Inc., D-1992-049-3.* An application to renew the approval of an existing SWWD of up to 9.3 mgm to irrigate the applicant's golf course from a surface water intake located on a manmade pond on Landis

Creek. The requested allocation is not an increase from the previous allocation. The surface water intake is located within the Commission's designated GWPA in the Perkiomen Creek Watershed in Limerick Township, Montgomery County, PA.

9. *AMETEK—U.S. Gauge Division, D-1993-025-3*. An application to renew the approval of an existing GWD of up to 4.0 mgm associated with the remediation of groundwater from existing Wells Nos. RW-1, MW-6S and MW-10S completed in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the Commission's designated GWPA in the East Branch Perkiomen Creek Watershed in Sellersville Borough, Bucks County, PA.

10. *Lansford-Coaldale Joint Water Authority, D-1995-013 CP-2*. An application to renew the approval of a GWD project to continue to supply up to 29.3 mgm of groundwater to the applicant's existing public water system from a total of 10 existing wells. The requested allocation is a reduction in the previously approved allocation. The project wells are completed in the Mauch Chunk Formation in the Nesquehoning Creek Watershed, within the drainage area of the portion of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Nesquehoning Borough, Carbon County, PA.

11. *Northeastern Power Company, D-1998-039-2*. An application to renew the approval of an existing electric/steam cogeneration facility and an SWWD project to continue to withdraw up to 6.2 mgm of surface water from the Silverbrook Deep Mine Pool overflow for use in its 50 megawatt cogeneration process operations, noncontact cooling and fly-ash particulate control. The applicant also requested up to 3.8 mgm of groundwater from existing Wells Nos. 4–7 and the greenhouse well, which are completed in the Pottsville Formation and are used for industrial purposes, potable water supply and greenhouse irrigation. The requested allocation of surface water is not an increase from the previous allocation. Groundwater allocations were not provided by the previous dockets. The project is located within the drainage area of Little Schuylkill River in the Schuylkill River Watershed in Kline Township, Schuylkill County, PA.

12. *Northeast Schuylkill Joint Municipal Authority, D-1999-033 CP-2*. An application to renew the approval of the applicant's 0.245 mgd WWTP and its discharge. Treated effluent will continue to be discharged to Pine Creek at River Mile 92.47–102.1–27.6–1.2 (Delaware River–Schuylkill River–Little Schuylkill River–Pine Creek) by means of Outfall No. 001, in Rush Township, Schuylkill County, PA.

13. *Whitehall Township Authority, D-2000-009 CP-2*. An application to renew the approval of an existing GWD of up to 57.38 mgm of water from 11 existing wells for use in the applicant's existing public water supply system. The allocation is a reduction in the previously approved allocation. The wells are completed in the Allentown and Epler Formations in the Jordan Creek and Lower Lehigh River watersheds, within the drainage area of the Lower Delaware, which is classified as Special Protection Waters, in Whitehall Township, Lehigh County, PA.

14. *Yardley Country Club, Inc., D-2000-032-2*. An application to renew the approval of an existing GWD of up to 6.2 mgm to irrigate the applicant's golf course from existing Well No. YCC-1 completed in the Stockton Formation. The requested allocation is not an increase from the previous allocation. The project well is located in the

Delaware River Watershed in Yardley Borough, Bucks County, PA, within the drainage area of the portion of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

15. *Leesport Borough, D-2001-012 CP-2*. An application to renew the approval of a GWD project to continue to supply up to 16.37 mgm of groundwater to the docket holder's public water system from existing Wells Nos. 3–5. The requested allocation is a reduction in the previously approved allocation. The project wells are completed in the Hamburg Sequence and Ontelaunee Formation in the Schuylkill River Watershed in Leesport Borough and Ontelaunee Township, Berks County, PA.

16. *Lower Perkiomen Valley Regional Sewer Authority, D-2001-042 CP-4*. An application to renew the approval of the applicant's 20.0 mgd Oaks WWTP and its discharge. The WWTP will continue to discharge treated effluent to the Schuylkill River at River Mile 92.47–32.35 (Delaware River–Schuylkill River) by means of Outfall No. 001, in Upper Providence Township, Montgomery County, PA.

17. *Superior Water Company, D-2001-048 CP-2*. An application to renew the approval of an existing GWD of up to 4.65 mgm to supply the applicant's public water supply system from existing Well No. 1, completed in the Hammer Creek Formation. The requested allocation is not an increase from the previous allocation. The well is located within the Commission's designated GWPA in the Schuylkill River Watershed in North Coventry Township, Chester County, PA.

18. *Upper Gwynedd-Towamencin Municipal Authority, D-2002-029 CP-3*. An application to renew the approval of the applicant's 6.5 mgd WWTP and its discharge. The WWTP will continue to discharge treated effluent to Towamencin Creek, a tributary of Skippack Creek, which is a tributary of Perkiomen Creek, which is tributary to the Schuylkill River, at River Mile 92.47–32.3–3.0–7.6–1.4 (Delaware River–Schuylkill River–Perkiomen Creek–Skippack Creek–Towamencin Creek) in Towamencin Township, Montgomery County, PA.

19. *Ingersoll-Rand Company, D-2006-014-3*. An application to renew the approval of the applicant's existing 0.09 mgd IWTP and its discharge. Treated effluent will continue to be discharged to Lopatcong Creek at River Mile 182.0–1.87 (Delaware River–Lopatcong Creek) by means of Outfall No. DSN002A, in the Town of Phillipsburg, Warren County, NJ, within the drainage area of the portion of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

20. *Town of Hamden, D-2007-012 CP-2*. An application to renew the approval of the applicant's existing 0.026 mgd WWTP and its discharge. Treated effluent will continue to be land discharged adjacent to Launt Hollow Creek above the Cannonsville Reservoir near River Mile 330.71–48.8–0.5 (Delaware River–West Branch Delaware River–Launt Hollow Creek) by means of subsurface leach beds, within the drainage area of the portion of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in the Town of Hamden, Delaware County, NY.

21. *Ruscombmanor Township, D-2007-034 CP-3*. An application to renew the approval of an existing discharge from the 0.05 mgd Golden Oaks WWTP. Treated effluent will continue to be discharged to an unknown tributary (UNT) of Furnace Creek at River Mile 92.47–54.15—



16.75—1.03—3.63—2.17 (Delaware River—Schuylkill River—Manatawny Creek—Little Manatawny Creek—Furnace Creek—UNT) by means of Outfall No. 001, in Ruscombmanor Township, Berks County, PA.

22. *Country Club Estates Condominium Association, Inc., D-2009-044 CP-2.* An application to renew the approval of the applicant's 0.0126 mgd WWTP, its replacement with a 0.03 mgd WWTP and the discharge from each facility. The WWTP will continue to discharge treated effluent to a UNT of Mahoning Creek at River Mile 183.66—42.5—7.0—0.44 (Delaware River—Lehigh River—Mahoning Creek—UNT) by means of Outfall No. 001, within the drainage area of the portion of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Mahoning Township, Carbon County, PA.

23. *Thomas and Betts Corporation, D-2010-033-2.* An application to renew the approval of an existing discharge of up to 0.255 mgd of noncontact cooling water (NCCW) and stormwater by means of Outfall No. 004A at the applicant's Elastimold electronic equipment plant. Effluent will continue to be discharged to a UNT of the Musconetcong River at River Mile 174.6—27.9—0.12 (Delaware River—Musconetcong River—UNT) within the drainage area of the portion of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Washington Township, Morris County, NJ.

24. *Rockland Town, D-1963-004 CP-2.* An application to renew the approval of an existing GWD of up to 8.928 mgm of groundwater from Wells Nos. 1 and 2 for public water supply in the Town of Rockland Roscoe-Rockland Water District and up to 21.39 mgm of groundwater from Wells Nos. 1 and 2 for public water supply in the Town of Rockland Livingston Manor Water District. The projects consist of existing GWDs that replaced the Town of Rockland's original surface water sources, one of which was previously approved by the Commission in Docket No. D-1963-004, issued to Roscoe-Rockland Water District on May 29, 1963. The existing wells are screened in the glacial outwash deposits that overly the Upper Walton Formation in the Beaver Kill and Little Beaver Kill watersheds, within the drainage area of the portion of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in the Town of Rockland, Sullivan County, NY.

25. *Town of Liberty (NY), D-1985-065 CP-3.* An application to approve the upgrade and expansion of the existing Town of Liberty Loomis WWTP from 0.08 mgd to 0.1 mgd. The upgrade consists of adding a rotating biological contact treatment unit, clarifier and pump chamber to the existing WWTP. The WWTP will continue to discharge treated effluent to a UNT of Swan Lake, a tributary of the West Branch Mongaup River, which is a tributary of the Mongaup River, at River Mile 261.1—19.7—8.2—1.0—1.1 (Delaware River—Mongaup River—West Branch Mongaup River—Swan Lake—UNT Swan Lake) and is located within the drainage area of the portion of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, in the Town of Liberty, Sullivan County, NY.

26. *Reading City, D-1986-028 CP-2.* An application to approve the upgrade of the applicant's existing 20.5 mgd Fritz Island WWTP. The upgrade consists of modifying the WWTP's two existing secondary digestors to operate as primary digestors, to precede a future plant upgrade

that requires the existing secondary digestors to function as primary or secondary digestors. The remaining WWTP facilities, including the three existing primary digestors, will not be modified. The WWTP will continue to discharge treated effluent to the Schuylkill River, at River Mile 92.47—72.8 (Delaware River—Schuylkill River) in the City of Reading, Berks County, PA.

27. *Hobart Village, D-1991-063 CP-2.* An application to approve the upgrade and expansion of the existing Village of Hobart WWTP from 0.18 mgd to 0.2 mgd. The upgrade consists of replacing the jet aeration system with fine bubble diffusion, replacing blowers, replacing undersized and/or aging pumps and upgrading appurtenant equipment. The project includes a service area expansion to include the Hamlet of South Kortright, with a new pump station and sewer collection system to be constructed to convey wastewater flows from the expanded service area to the WWTP. The WWTP will continue to discharge treated effluent to the West Branch Delaware River upstream of the Cannonsville Reservoir, at River Mile 330.71—76.7 (Delaware River—West Branch Delaware River) and is located within the drainage area of the portion of the main stem Delaware River known as the Upper Delaware, which is classified as Special Protection Waters, in the Town of Stamford, Delaware County, NY.

28. *Exelon, D-1992-066 CP-2.* An application to renew the approval of the applicant's existing 3.744 mgd Eddystone Generating Station IWTP and its comingled discharge with up to 831.336 mgd of NCCW. Treated industrial effluent will continue to comeingle with NCCW and be discharged to River Mile 84.8 (Delaware River) by means of Outfall No. 008, within Water Quality Zone 4, in the Borough of Eddystone, Delaware County, PA.

29. *East Stroudsburg Borough, D-1992-072 CP-2.* A revised application to renew the approval of a GWD project to continue withdrawals from existing Wells Nos. PW-1—PW-4 for public water supply. The total GWD allocation of up to 56.4 mg/30 days (58.28 mgm) for the four water supply wells will remain the same. The wells are completed in the Buttermilk Falls Formation and Pleistocene Sand and Gravel Aquifer and are located in the Brodhead Creek Watershed within the drainage area of the portion of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in the Borough of East Stroudsburg, Monroe County, PA.

30. *Pennsylvania American Water Company, D-1996-009 CP-2.* An application to renew the approval of an existing GWD and to increase the allocation from 19.01 mgm to 24.82 mgm to supply the applicant's public water supply distribution system. Existing Wells Nos. 3, 6 and 9 are completed in the Buttermilk Falls Limestone and Quarternary Sands and Gravels and located in the Bushkill Watershed in Middle Smithfield Township, Monroe County, PA, within the drainage area of the portion of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters.

31. *Lansdale Borough, D-1996-045 CP-3.* An application to renew the approval for and upgrade of the existing 4.5 mgd Lansdale WWTP. The upgrade is being performed to reduce the frequency of combined sewer overflows and to increase plant efficiency and consists of expanding the existing influent pump station to handle larger peak instantaneous flows, modifying existing, unused denitrification tanks for biological treatment, and upgrading appurtenant equipment. The WWTP will continue to discharge treated effluent to a UNT of West

Branch Neshaminy Creek, which is a tributary of Neshaminy Creek, at River Mile 115.63—40.01—5.35—1.25 (Delaware River—Neshaminy Creek—West Branch Neshaminy Creek—UNT West Branch Neshaminy Creek) in Lansdale Borough, Montgomery County, PA.

32. *Hellertown Borough Authority, D-2000-053 CP-2.* An application to renew the approval of an existing GWD of up to 22.7 mgm of groundwater from a collection of 14 existing spring sources and existing Wells Nos. W-1 and W-2 for use in the applicant's existing public water supply system. The applicant has disconnected previously approved Well No. 3 from its distribution system and this well is no longer included in this approval. The requested allocation is not an increase from the previously approved total system allocation of 22.7 mgm of water from all sources. The project wells and springs are located in the Saucon Creek Watershed within the drainage area of the portion of the main stem Delaware River known as the Middle Delaware, which the Commission has classified as Special Protection Waters, in Hellertown Borough and Lower Saucon Township, Northampton County, PA.

33. *Superior Water Company, D-2001-015 CP-4.* An application to approve a withdrawal of up to 7.1 mgm of groundwater from new Well No. SWC-12 and to renew the approval of an existing GWD project to continue to supply up to 36.82 mgm of water from the new well and 10 previously approved wells for use in the applicant's existing public water supply system. The new well is being added to the system for supplemental supply purposes and the requested total allocation of groundwater is not an increase in allocation from the previous docket. The new well is completed in the Brunswick Formation in the Swamp Creek Watershed in New Hanover Township, Montgomery County, PA within the Commission's GWPA.

34. *Aqua Pennsylvania, Inc., D-2001-050 CP-3.* An application to approve a new GWD from Rahns Well No. 3 to replace Rahns Well No. 2 and to renew the approval of an existing GWD of up to 18.8 mgm to supply the applicant's public water supply system from existing Wells Nos. Cranberry 2—4, Meyers A and B and Rahns 1, completed in the Brunswick Formation. The requested allocation is not an increase from the previous allocation. The wells are located within the Commission's designated GWPA in the Perkiomen Creek Watershed in Perkiomen Township, Montgomery County, PA.

35. *Exelon, D-2008-038 CP-2.* An application to reduce the SWWD allocation at the applicant's Eddystone Generating Station from 45,533 mgm to 25,892 mgm as a result of decommissioning of power units 1 and 2. The eight pumps located at Intake No. 2 will continue to withdraw surface water from Water Quality Zone 4 of the Delaware River in the Borough of Eddystone, Delaware County, PA.

36. *Dorney Park and Wildwater Kingdom, D-2012-009-2.* An application for approval of a GWD project to supply up to 1.24 mgm of water to the applicant's amusement park from new Well No. 9 and to increase the total groundwater allocation from 11.89 mgm to 13.14 mgm of groundwater from existing Wells Nos. 1, 4, 5, 7 and 8 and new Well No. 9. Water is used for irrigation, noncontact cooling, water rides and water features. Well No. 9 will be used to supply make-up water for a wave pool and other water attractions. The project wells withdraw water from the Allentown Formation and are located in the Cedar Creek Watershed within the drainage area of the portion of the Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in South Whitehall Township, Lehigh County, PA.

37. *Lehigh County Authority, D-2013-017 CP-1.* An application to approve the applicant's existing 0.16 mgd Arcadia West Industrial Park WWTP and its discharge. Treated effluent will continue to be discharged to a UNT of Mill Creek above the Maiden Creek Reservoir at River Mile 92.47—84.9—10.47—11.37—0.83 (Delaware River—Schuylkill River—Maiden Creek—Mill Creek—UNT) by means of Outfall No. 001, in Weisenberg Township, Lehigh County, PA.

38. *Nestlé Waters North America, Inc., D-2013-020-1.* An application for approval of a GWD of up to 11.696 mgm and discharge of withdrawn water to Greenwalk Creek. The purpose of the project is to intercept and control the migration of groundwater containing elevated concentrations of total dissolved solids (TDS) from an upgradient abandoned slate quarry to manage the applicant's existing downgradient water supply sources. Groundwater will not be treated prior to discharge and will have the same dissolved constituents present in groundwater and currently discharging to Greenwalk Creek. The TDS concentration in the groundwater is less than the Commission's effluent concentration limit. The applicant estimates that the GWD and discharge project is expected to last at least 1 year. The project is located in the Greenwalk Creek Watershed within the drainage area of the portion of the main stem Delaware River known as the Lower Delaware, which the Commission has classified as Special Protection Waters, in Washington Township, Northampton County, PA. The application also includes a request for emergency approval of the project, which was approved on January 14, 2014 and amended on March 14, 2014.

39. *New York City Department of Environmental Protection, D-2014-002 CP-1.* An application to approve the construction of a 14.08 megawatts hydro-electric turbine adjacent to the existing release works at the Cannonsville Dam and Reservoir. The Cannonsville Dam is located at River Mile 330.71—17.9 (Delaware River—West Branch Delaware River), within the drainage area of the portion of the main stem Delaware River known as the Upper Delaware, which the Commission has classified as Special Protection Waters, outside of the Town of Deposit, Delaware County, NY.

*Public meeting.* The business meeting on June 11, 2014, will begin at 12:15 p.m. and will include: adoption of the minutes of the Commission's March 12, 2014, business meeting; announcements of upcoming meetings and events; a report on hydrologic conditions; reports by the Acting Executive Director and the Commission's General Counsel; and consideration of items for which a hearing has been completed or is not required. A hearing on the Commission's budget for Fiscal Year (FY) 2015, which begins July 1, 2014, was completed on March 11, 2014. Items for which no hearing is required will include a resolution providing for election of the Commission officers for FY 2015. In accordance with the customary rotation, Governor Cuomo of New York will serve as Chair, Governor Markell of Delaware as Vice Chair and the Division Commander of the North Atlantic Division, United States Army Corps of Engineers, as Second Vice Chair.

There will be no opportunity for additional public comment at the June 11, 2014, business meeting on items for which a hearing was completed on June 10, 2014, or a previous date. Commission consideration of items for which the public hearing is closed may result in either approval of the item (docket or resolution) as proposed, approval with changes, denial or deferral. When the Commissioners defer an action, they may announce an

additional period for written comment on the item, with or without an additional hearing date or they may take additional time to consider the input they have already received without requesting further public input. Deferred items will be considered for action at a public meeting of the Commission on a future date.

*Advance sign-up for oral comment.* Individuals who wish to comment for the record on a hearing item or to address the Commissioners informally during the public dialogue portion of the meeting are asked to sign up in advance by contacting Paula Schmitt of the Commission at (609) 883-9500, Ext. 224 or paula.schmitt@drbc.state.nj.us.

*Addresses for written comment.* Written comment on items scheduled for hearing may be delivered by hand at the public hearing or submitted in advance of the hearing date to Commission Secretary, P. O. Box 7360, 25 State Police Drive, West Trenton, NJ 08628, fax (609) 883-9522 or paula.schmitt@drbc.state.nj.us. If submitted by e-mail in advance of the hearing date, written comments on a

docket should also be sent to William J. Muszynski, Manager, Water Resources Management at william.muszynski@drbc.state.nj.us.

*Accommodations for special needs.* Individuals in need of an accommodation as provided for in the Americans with Disabilities Act who wish to attend the informational meeting or hearing should contact the Commission Secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services (TRS) at 711, to discuss how the Commission can accommodate their needs.

*Updates.* Items scheduled for hearing are occasionally postponed to allow more time for the Commission to consider them. Other meeting items also are subject to change. Check the Commission's web site closer to the meeting date for changes that may be made after the deadline for filing this notice.

PAMELA M. BUSH,  
Secretary

[Pa.B. Doc. No. 14-1093. Filed for public inspection May 23, 2014, 9:00 a.m.]

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending May 13, 2014.

Under section 503.E of the Department of Banking and Securities Code (71 P. S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking and Securities, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request policy.

### BANKING INSTITUTIONS

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-6-2014	Integrity Bank Camp Hill Cumberland County	2055 Fruitville Pike Manheim Township Lancaster County	Opened
5-7-2014	Union Community Bank Mount Joy Lancaster County	1759 West Main Street Ephrata Lancaster County	Filed
5-13-2014	Somerset Trust Company Somerset Somerset County	900 West Crawford Avenue Connellsville Fayette County	Approved
5-13-2014	York Traditions Bank York York County	361 Eisenhower Drive Hanover York County	Approved

### CREDIT UNIONS

No Activity.

The Department's web site at [www.dobs.state.pa.us](http://www.dobs.state.pa.us) includes public notices for more recently filed applications.

GLENN E. MOYER,  
Secretary

[Pa.B. Doc. No. 14-1094. Filed for public inspection May 23, 2014, 9:00 a.m.]



# DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

## Consolidated Plan Public Meeting

The Department of Community and Economic Development (Department) is preparing the Commonwealth's Consolidated Plan for 2014-2018 and the 2014 Action Plan. The Consolidated Plan (Plan) is a document submitted to the United States Department of Housing and Urban Development (HUD) every 5 years analyzing the needs of the nonentitlement areas of the state in the areas of housing, community development, homelessness prevention and economic development, as well as creating a unified strategy for housing, homelessness and community development programs, as well as the necessary linkages for building successful neighborhoods and communities. The Action Plan is the annual application to HUD for Federal funds administered by the Commonwealth for the nonentitlement communities of this Commonwealth. The HUD funding programs covered by the Plan and administered by the Department are the Community Development Block Grant (CDBG), the HOME Investment Partnerships, the Emergency Solutions Grant, CDBG Disaster Recovery and Neighborhood Stabilization Program (NSP 1 and 3) programs. The Department of Health administers the Housing Opportunities for Persons with AIDS program.

### Public Meeting

The first public meeting for the 2014-2018 Consolidated Plan and 2014 Action Plan will be conducted electronically by means of the Internet on Thursday, May 29, 2014. Access to the discussion by means of the Internet will occur between 1 p.m. and 3:30 p.m. This more widely available personal computer access will replace the onsite public meeting. The format will be more accessible than in an in-person meeting because those who wish to make comment or discuss policy may participate directly from their personal computer or from a computer located at their public library.

Individuals or organizations may give testimony or comments by means of the Internet. Comments will be accepted about topics related to the needs of the Commonwealth in the following areas: community development; housing; homelessness; economic development; any changes to the method of distribution of the existing Federal programs; and the process by which the public input is gathered. The Commonwealth encourages public participation in this process.

Anyone who wants to participate must register in advance. Contact Megan Snyder at (717) 720-7404 to receive registration instructions for the web meeting at least 24 hours prior to the meeting date. During the meeting, if support is required, call (717) 787-5327. The meeting will be shortened if there is no one to testify or there is minimal response.

Persons with a disability who wish to participate in the public meeting should contact Megan Snyder, Department of Community and Economic Development, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, (717) 720-7404, to discuss how the Department can accommodate their needs. Text telephone calls can be placed through the Pennsylvania AT&T Relay System at (800) 654-5984. Calls will be relayed to the Department's number listed previously.

### Written Comments

Written testimony, instead of electronic testimony, must be submitted by 5 p.m. on Monday, June 30, 2014. Submit comments to Megan Snyder, Department of Community and Economic Development, Center for Community Financing, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225 or by means of the Department's mail box at RA-DCEDcdbg&homequestions@pa.gov.

C. ALAN WALKER,  
*Secretary*

[Pa.B. Doc. No. 14-1095. Filed for public inspection May 23, 2014, 9:00 a.m.]

## Notice of a Substantial Amendment for the HOME Investment Partnership Portion of the 2012 Action Plan

Notice is hereby given for a public comment period to review the proposed substantial amendment to the Commonwealth's Action Plan for Fiscal Year 2012 HOME Investment Partnership Program (HOME) funds. The public comment period is from May 24, 2014, through June 23, 2014.

Annually the Department of Community and Economic Development (Department) prepares the Action Plan which outlines the method of distribution for Federal funding received by the Department. This Federal funding includes the HOME program. An Action Plan for these funds was finalized and submitted to the United States Department of Housing and Urban Development (HUD) on January 30, 2012. As the method of distribution of the HOME funding has changed due to needing to meet the deadline of commitment of HOME funding by June 30, 2014, changes need to be made to those areas in the original Action Plan. These changes, based on the Pennsylvania Citizen Participation Plan for the Consolidated Plan, constitute a significant change in the distribution of funds under the program and thus necessitate a substantial amendment to the original action plan.

The substantial amendment to the Action Plan and supporting documentation is available for a 30-day public comment period and can be viewed on the Department's web site at <http://www.newpa.com/>. The draft is also made available to the Tri-County Branch of the Pennsylvania Association of the Blind for transfer to electronic media. The text is available to hearing-impaired persons by means of the Department's web site at the link listed previously. A translation into Spanish will also be available on the Department's web site. The final version of the substantial amendment will be submitted to HUD no later than June 27, 2014.

Persons who would like to provide written comment on the draft substantial amendment to the 2012 Action Plan may send those comments electronically to RA-DCEDcdbg&homequestions@pa.gov or mail to the attention of Mary J. Smith, Department of Community and Economic Development, Center for Community Financing, 400 North Street, 4th Floor, Harrisburg, PA 17120. Comments must be received before 4 p.m. on June 23, 2014.

C. ALAN WALKER,  
*Secretary*

[Pa.B. Doc. No. 14-1096. Filed for public inspection May 23, 2014, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council (Council) to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, May 28, 2014, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Gretchen Leslie at (717) 787-9293. Persons

who wish to participate during the public comment section are encouraged to submit their comments in writing to Gretchen Leslie, Advisor, Conservation and Natural Resources Advisory Council, 400 Market Street, Harrisburg, PA 17101.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Lauren Adair directly at (717) 787-9293 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

ELLEN FERRETTI,  
*Secretary*

[Pa.B. Doc. No. 14-1097. Filed for public inspection May 23, 2014, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

### APPLICATIONS

### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations of proposed effluent limitations and other terms and conditions for the permit applications. In accordance with 25 Pa. Code § 92a.32(d), the proposed discharge of stormwater associated with construction activities will be managed in accordance with the requirements of 25 Pa. Code Chapter 102. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.



The Department will also accept requests for public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

Persons with a disability who require an auxiliary aid, service, including TDD users, or other accommodations to seek additional information should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### I. NPDES Renewal Applications

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0065277 (Sewage)	Lisa Bodnar Residence 3701 N Delaware Drive Easton, PA 18040	Northampton County Forks Township	Delaware River (1-F)	Y

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0080594— IW	North American Pipe Corporation 88 Newport Road Leola PA 17540	Upper Leacock Township / Lancaster County	UNT Mill Creek / 7-J	Y

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed#)	EPA Waived Y/N?
PA0210358 (sewage)	Paul T Green SRSTP 842 Quaker Hill Road Warren, PA 16365	Warren County Glade Township	Unnamed Tributary to Conewago Creek (16-B)	Y

### II. Applications for New or Expanded Facility Permits, Renewal of Major Permits and EPA Non-Waived Permit Applications

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone: 412.442.4000.*

**PA0217948**, SIC Code 4941, **Highridge Water Authority**, 17 Maple Avenue, Blairsville, PA 15717-1232. Facility Name: Highridge Water System (Sugar Run Water Treatment Plant). This existing facility is located in Saint Clair Township, **Westmoreland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated filter backwash water and storm water runoff.

The receiving stream(s), Unnamed Tributary of Conemaugh River, is located in State Water Plan watershed 18-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.057 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Total Aluminum	XXX	XXX	XXX	0.750	XXX	1.5
Total Iron	XXX	XXX	XXX	1.5	XXX	3.0
Total Manganese	XXX	XXX	XXX	0.5	XXX	1.0

The proposed effluent limits for Outfall 004 are based on a design flow of 0.000000 MGD (emergency overflow from finished water storage tank).

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Total Aluminum	XXX	XXX	XXX	0.750	XXX	1.5
Total Iron	XXX	XXX	XXX	1.5	XXX	3.0
Total Manganese	XXX	XXX	XXX	0.5	XXX	1.0

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

**PA0037044**, Sewage, **Ford City Borough Municipal Sewer Disposal Authority**, P. O. Box 66, Ford City, PA 16226-0066. Facility Name: Ford City Borough Municipal Sewer Disposal Authority WWTP. This existing facility is located in Ford City Borough, **Armstrong County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Allegheny River, is located in State Water Plan watershed 17-E and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.3 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	271.0	407.0	XXX	25	37.5	50
		Wkly Avg			Wkly Avg	
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	325.0	488.0	XXX	30	45	60
		Wkly Avg			Wkly Avg	
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
Bromide	XXX	XXX	XXX	XXX	Report	XXX

The EPA Waiver is not in effect.

**PA0021971**, Industrial Waste, SIC Code 4941, **East Dunkard Water Authority**, PO Box 241, Dilliner, PA 15327. Facility Name: East Dunkard Water Authority. This existing facility is located in Dunkard Township, **Greene County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated filter backwash water.

The receiving stream(s), Monongahela River, is located in State Water Plan watershed 19-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.001 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Total Aluminum	XXX	XXX	XXX	4.0	XXX	8.0
Total Iron	XXX	XXX	XXX	2.0	XXX	4.0
Total Manganese	XXX	XXX	XXX	1.0	XXX	2.0

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

**PA0253278**, SIC Code 4941, **Masontown Municipal Authority**, 1 E Church Avenue, Masontown, PA 15461-1819. Facility Name: Masontown WW. This existing facility is located in Masontown Borough, **Fayette County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of filter backwash water and wastewater from claricones.

The receiving stream(s), Monongahela River, is located in State Water Plan watershed 19-G and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies. The proposed effluent limits for Outfall 001 are based on a design flow of 0.045 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.0
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Total Aluminum	XXX	XXX	XXX	4.0	XXX	8.0
Total Iron	XXX	XXX	XXX	2.0	XXX	4.0
Total Manganese	XXX	XXX	XXX	1.0	XXX	2.0

In addition, the permit contains the following major special conditions:

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 412-442-4000.

The EPA Waiver is in effect.

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970*

**PA0244490**, SIC Code 8811, **Bruce E. Shepherd**, 1009 Telegraph Road, Coatesville, PA 19320. Facility Name: 171 Creamery Rd SRSTP. This existing facility is located in West Caln Township, **Chester County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream(s), Unnamed Tributary to West Branch Brandywine Creek, is located in State Water Plan watershed 3H and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly		
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	XXX	XXX	XXX	10	XXX	20
				Avg		
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	200	XXX	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0

In addition, the permit contains the following major special conditions:

- A. AMMR to DEP
- B. DMR
- C. Depth of The Tanks Measurements
- D. Septic Tank Pumping
- E. TRC Minimization
- F. No stormwater
- G. Necessary Property Rights
- H. Sewage Sludge Disposal
- I. STP abandon

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

**PA0244503**, SIC Code 8811, **Bruce E. Shepherd**, 1009 Telegraph Road, Coatesville, PA 19320. Facility Name: 191 Creamery Rd. This existing facility is located in West Caln Township, **Chester County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated sewage.

The receiving stream(s), Unnamed Tributary to West Branch Brandywine Creek, is located in State Water Plan watershed 3-H and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX
CBOD <sub>5</sub>					
May 1 - Oct 31	XXX	XXX	XXX	10	XXX
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX
Total Suspended Solids	XXX	XXX	XXX	10	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	200	XXX	XXX
Ammonia-Nitrogen					
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX

In addition, the permit contains the following major special conditions:

- A. AMMR to DEP
- B. DMR
- C. Depth of The Tanks Measurements
- D. Septic Tank Pumping
- E. TRC Minimization
- F. No stormwater
- G. Necessary Property Rights
- H. Sewage Sludge Disposal
- I. STP abandon

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

**PA0244511**, SIC Code 8811, **Bruce E. Shepherd**, 1009 Telegraph Road, Coatesville, PA 19320. Facility Name: 177 Creamery Road. This existing facility is located in West Caln Township, **Chester County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated .

The receiving stream(s), Unnamed Tributary to West Branch Brandywine Creek, is located in State Water Plan watershed 3-H and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0005 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Instant. Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX
CBOD <sub>5</sub>					
May 1 - Oct 31	XXX	XXX	XXX	10	XXX
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX
Total Suspended Solids	XXX	XXX	XXX	10	XXX
Fecal Coliform (CFU/100 ml)	XXX	XXX	200	XXX	XXX

Parameters	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>			<i>Average Monthly</i>		
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	9.0	XXX	18.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18.0

In addition, the permit contains the following major special conditions:

- A. AMMR to DEP
- B. DMR
- C. Depth of The Tanks Measurements
- D. Septic Tank Pumping
- E. TRC Minimization
- F. No stormwater
- G. Necessary Property Rights
- H. Sewage Sludge Disposal
- I. STP abandon

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

### III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law

*Southcentral Region: Clean Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 717-705-4707.*

**WQM Permit No. 0607402, Amendment #1**, Sewerage, **Maidencreek Township Authority**, 1 Quarry Lane, PO Box 289, Blandon, PA 19510.

This proposed facility is located in Ontelaunee Township, **Berks County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction of a Phosphorus Removal System at their existing wastewater treatment plant.

**WQM Permit No. 3495201, Amendment #2**, Sewerage, **Empire Kosher Poultry, Inc.**, 247 Empire Drive, Mifflintown, PA 17059.

This proposed facility is located in Mifflintown Borough, **Juniata County**.

Description of Proposed Action/Activity: Seeking permit approval for a minor permit modification to change their post aeration system from a cascade post aeration to diffused aeration system.

**WQM Permit No. 3674401, Amendment #2**, Sewerage, **Conewago Industrial Park Water & Sewer Company**, PO Box 332, Lemoyne, PA 17043-0332.

This proposed facility is located in West Donegal Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking permit approval for Amendment #2 in proposing to convert its existing treatment plant to operate as a sequencing batch reactor and random discharges by allowing influent to equalize after headworks treatment. The upgrade is proposed due to increased tenants, problems with I & I, and a variety of waste from existing tenants.

**WQM Permit No. 2114401**, Sewerage, **North Middleton Authority**, 240 Clearwater Drive, Carlisle, PA 17013.

This proposed facility is located in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Seeking permit approval for replacement of existing Cavalry Road Area Pump Station No. 2 with new submersible pump station.

**WQM Permit No. 0614401**, Sewerage, **Bethel Township Municipal Authority**, PO Box 274, Bethel, PA 19507.

This proposed facility is located in Bethel Township, **Berks County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction / operation Old Route 22 Forcemain. Install 8,000 lf of 4" forcemain in Old Route 22 between Legion Road and Midway Road.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**WQM Permit No. WQG01251407**, Sewage, **Jason Burke**, 8531 Remington Road, North East, PA 16428.

This proposed facility is located in North East Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant to replace a malfunctioning on-lot system.



**WQM Permit No. 4391412**, Sewage, Amendment, **Greenville Sanitary Authority**, 125 Main Street, PO Box 604, Greenville, PA 16125.

This existing facility is located in Greenville Borough, **Mercer County**.

Description of Proposed Action/Activity: Amendment to re-rate hydraulic capacity of wastewater treatment plant.

**WQM Permit No. WQG02251401**, Sewage, **Erie County General Authority**, 5240 Knowledge Parkway, Erie, PA 16510.

This proposed facility is located in Waterford Township, **Erie County**.

Description of Proposed Action/Activity: Application to connect Barrel o' Fun Snack Foods to Waterford Boro STP sewerage.

**WQM Permit No. 4369409**, Sewage, Amendment, **Henion's Family Enterprise**, 1337 Butler Pike, Mercer, PA 16137.

This existing facility is located in Findley Township, **Mercer County**.

Description of Proposed Action/Activity: Amendment to renovate WWTP.

## **VI. NPDES Individual Permit Applications for Discharges of Stormwater Associated with Construction Activities**

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802.*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI033614003	Brian Eckman 357 Black Barren Road Peach Bottom, PA 17563	Lancaster	Fulton Township	UNT Conowingo Creek (HQ, CWF, MF)
PAI033414003	Brown Township Supervisors 7748 SR 655 Reedsville, PA 17084	Mifflin	Brown Township	Tea Creek (HQ-CWF)

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. (412) 442.4315*

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI050214002	Borough of Fox Chapel 401 Fox Chapel Road Pittsburgh, PA 15238	Allegheny	Fox Chapel Borough	Squaw Run (HQ-WWF)
PAI056314003	Tri State Supply, Inc. 371 W Chestnut Street Washington, PA 15301	Washington	Buffalo Township	Buffalo Creek (HQ-WWF)
PAI056514004	North Huntingdon Township Municipal Authority 11265 Center Highway North Huntingdon, PA 15642	Westmoreland	North Huntingdon Township	UNT to Long Run (HQ)

*Northwest Region: Watershed Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

*Erie County Conservation District, 1927 Wager Road, Erie PA 16509*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI062508003R	Birkmire Trucking 7400 Birkmire Drive Fairview PA 16415	Erie	Fairview Township	Bear Run CWF; MF

## **PUBLIC WATER SUPPLY (PWS) PERMITS**

Under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17), the following parties have applied for PWS permits to construct or substantially modify public water systems.

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment should include the name, address and telephone number of the writer and a

concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

The permit application and related documents are on file at the office listed before the application and available

for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

### SAFE DRINKING WATER

#### Applications Received Under the Pennsylvania Safe Drinking Water Act

*Southcentral Region: Safe Drinking Water Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Permit No. 0114505**, Public Water Supply.

Applicant	<b>Liberty Mountain Resort</b>
Municipality	Carrol Valley Borough
County	<b>Adams</b>
Responsible Official	Timothy Koons, Base Area Manager 78 Country Club Trail Carroll Valley, PA 17320-0703
Type of Facility	Public Water Supply
Consulting Engineer	Randolph S. Bailey, P.E. Wm. F. Hill & Assoc., Inc. 207 Baltimore Street Gettysburg, PA 17325
Application Received:	4/25/2014
Description of Action	Installation of a new treatment building with softening, disinfection and booster pumping station, installation of new submersible well pumps and new storage tank.

*Southwest Region: Safe Drinking Water Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745*

**Permit No. 1114510**, Public Water Supply.

Applicant	<b>Patton Municipal Authority</b> 800 4th Avenue Patton, PA 16668
[Township or Borough]	Patton Borough and Elder Township
Responsible Official	John Cromwell, President Patton Municipal Authority 800 4th Avenue Patton, PA 16668
Type of Facility	Water system
Consulting Engineer	Keller Engineers 420 Allegheny Street PO Box 61 Hollidaysburg, PA 16648
Application Received Date	May 7, 2014
Description of Action	Construction of a water storage tank, booster station with disinfection and installation of a waterline to provide an interconnection with Elder Township Water Authority.

**Permit No. 0214527**, Public Water Supply.

Applicant	<b>Wilksburg-Penn Joint Water Authority</b> 2200 Robinson Boulevard Pittsburgh, PA 15221
[Township or Borough]	Penn Hills
Responsible Official	Nick Bianchi, Executive Director Wilksburg-Penn Joint Water Authority 2200 Robinson Boulevard Pittsburgh, PA 15221
Type of Facility	Water system
Consulting Engineer	Chester Engineers 1555 Coraopolis Heights Road Moon Township, PA 15108
Application Received Date	May 7, 2014
Description of Action	Addition of two additional gas chlorinators to increase post chlorine feed capacity.

### MINOR AMENDMENT

#### Applications Received Under the Pennsylvania Safe Drinking Water Act

*Southwest Region: Water Supply Management Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745*

**Application No. 1114511MA, Minor Amendment.**

Applicant	<b>Lilly Borough Water Authority</b> 417 Cleveland Street Lilly, PA 15938
[Township or Borough]	Lilly Borough
Responsible Official	Paul Sklodowski, Chairman Lilly Borough Water Authority 417 Cleveland Street Lilly, PA 15938
Type of Facility	Water system
Consulting Engineer	Nichols & Slagle Engineering, Inc. 333 Rouser Road Building 4, Suite 600 Moon Township, PA 15108
Application Received Date	April 30, 2014
Description of Action	Construction of a vault for an emergency interconnection with Highland Sewer & Water Authority.

**Application No. 2614504MA, Minor Amendment.**

Applicant	<b>Indian Creek Valley Water Authority</b> PO Box 486 2019 Indian Head Road Indian Head, PA 15446
[Township or Borough]	Springfield Township
Responsible Official	R. Kerry Witt, Manager Indian Creek Valley Water Authority PO Box 486 2019 Indian Head Road Indian Head, PA 15446

Type of Facility	Water system
Consulting Engineer	Bankson Engineers, Inc. 267 Blue Run Road PO Box 200 Indianola, PA 15051
Application Received Date	April 25, 2014
Description of Action	Installation of approximately 11,550 feet of 8-inch diameter waterline.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

#### Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.907)

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a site-specific standard, in whole or in part, and for sites remediated as a special industrial area. This period begins when a summary of the Notice of Intent to Remediate is published in a newspaper of general circulation in the area of the site. For the following site, proposed for remediation to a site-specific standard or as a special industrial area, the municipality, within which the site is located, may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified as follows. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental

cleanup program manager in the Department regional office listed before the notice. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following Notices of Intent to Remediate:

*Southcentral Region: Environmental Cleanup & Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Destiny Schell Property**, 422 North Hanover Street, Hershey, PA 17033, South Hanover Township, **Dauphin County**. Environmental Products and Services of Vermont, Inc., 5100 Paxton Street, Harrisburg, PA 17111, on behalf of Destiny Schell, 132 Sparrow Road, Hummelstown, PA 17036 submitted a Notice of Intent to Remediate concerning site soils and surface water contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health standard. The Notice of Intent to Remediate was published in *The Sun* on April 17, 2014.

*Northwest Region: Environmental Cleanup & Brownfields Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Parcel 07-14-7A & B**, Congress Drive approximately 400 feet Northeast of Charlton Street & Quaker Drive Intersection, Cornplanter Township, **Venango County**. URS Corporation, 12420 Milestone Center Drive, Suite 150 Germantown, MD 20876, on behalf of Shell Oil Products US, 17 Junction Drive, PMB #399, Glen Carbon, IL 62034, submitted a Notice of Intent to Remediate. Environmental investigation findings indicate that historic site operations likely resulted in the release of petroleum constituents that impacted the soil. Primary contaminants to be addressed are Arsenic and Lead. Anticipated future use of the property is non-residential. The Notice of Intent to Remediate was published in *The Derrick* on April 22, 2014.

**Pontiac Lease**, Approximately 0.46 mile on lease road. Lease road is 1.5 miles down Bankson Road west of Route 227 to the north of Bankson Road, Cornplanter Township, **Venango County**. Moody's & Associates, Inc., 11548 Cotton Road, Meadville, PA 16335, on behalf of William L. Huber, 284 Oleopolis Road, Oil City, PA 16301, submitted a Notice of Intent to Remediate. Soil has been impacted with brine and other production fluids. At this time it is unknown if groundwater has been impacted. Future use of the property will be residential. The Notice of Intent to Remediate was published in *The News-Herald* and *The Derrick* on April 15, 2014.

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Application(s) received Under the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701*

**Permit Application No. 101702. PA Waste Transfer, LLC**, 154 Quarry Road, Coal Township, PA 17866, Coal Township, **Northumberland County**. The permit appli-



cation is for a proposed increase in daily volume and expansion of the waste codes to be accepted at the facility. The application was received by NCRO on May 7, 2014.

Comments concerning the application should be directed to Lisa D. Houser, P.E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the permit application may contact the Williamsport Regional Office, (570) 327-3740. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

The Department has developed an "integrated" plan approval, State Operating Permit and Title V Operating Permit program. This integrated approach is designed to make the permitting process more efficient for the Department, the regulated community and the public. This approach allows the owner or operator of a facility to complete and submit permitting documents relevant to its application one time, affords an opportunity for public input and provides for sequential issuance of the necessary permits.

The Department received applications for Plan Approval or Operating Permits from the following facilities.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office listed before the applications. Persons interested in reviewing the application files should contact the appropriate regional office to schedule appointments.

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that hearings be held concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121–143, the Federal Clean Air Act (42 U.S.C.A. §§ 7401–7671q) and regulations adopted under the Federal Clean Air Act.

**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P.S. §§ 4001–4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**55-00001F: Sunbury Generation, LP.** (Old Trail Road, PO Box 517 Shamokin Dam, PA 17876) has submitted application for a plan approval to construct a mechanical draft cooling tower at their electric generating station in Shamokin Dam Borough, **Snyder County**. The proposed cooling tower will be done in conjunction with the facility's repowering using natural gas as a fuel. This application is subject to the Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12. The Department has determined that the proposed levels of the air contaminants emissions satisfy the Department's BAT requirements.

Based on these findings presented above, the Department intends to approve the application and issue a plan approval for the proposed construction and operation of the sources and air cleaning devices as indicated in the application. If the Department determines that the proposed sources are operating in compliance with all of the plan approval conditions, the conditions established in the plan approval will be incorporated into a Title V Operating Permit by means of an administrative amendment pursuant to 25 Pa. Code § 127.450 and pursuant to the operating permit requirements of 25 Pa. Code Subchapter F. The following is a summary of the conditions that the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable air quality regulatory requirements:

1. Pursuant to the best available technology provisions in 25 Pa. Code §§ 127.1 and 127.12, Source ID P800 shall be a mechanical-draft 14 cell cooling tower. Additionally, no chromium based water treatment chemicals shall be used in Source ID P800.

2. Pursuant to the best available technology provisions in 25 Pa. Code §§ 127.1 and 127.12, the circulating water flow rate of Source ID P800 shall not exceed 225,000 gallons per minute at any time. Additionally, the total solids concentration of the circulating water in Source ID P800 shall not exceed 5,000 ppm at any time.

3. Pursuant to the best available technology provisions in 25 Pa. Code §§ 127.1 and 127.12, Source ID P800 shall be equipped with a drift eliminator (ID C800) to control particulate matter emissions.

4. Pursuant to the best available technology provisions in 25 Pa. Code §§ 127.1 and 127.12, ID C800 shall be capable of achieving a maximum drift rate of 0.0005%.

5. Pursuant to the best available technology provisions in 25 Pa. Code §§ 127.1 and 127.12, the total particulate matter (including PM<sub>10</sub> and PM<sub>2.5</sub>) emitted from Source ID P800 shall not exceed 2.82 pounds per hour and 12.3 tons in any 12 consecutive month period.

6. The permittee shall continuously monitor the circulating water flow rate in units of gallons per minute and the circulating water's total dissolved solids content via conductivity of Source ID P800.



7. (a) The permittee shall take a grab sample of the cooling tower circulating water and analyze it on a weekly basis to determine the total solids content of the cooling tower circulating water.

(b) If the total dissolved solids conductivity measurement is near the maximum normal range, the permittee shall take a grab sample of the cooling tower circulating water and analyze the sample within 8 hours to verify the accuracy of the measurement and the total solids content of the circulating water.

8. The permittee shall submit reports to the Department on a semi-annual basis that include the supporting calculations used to verify compliance with total particulate matter emission limitation in any 12 consecutive month period. The semi-annual reports shall be submitted to the Department no later than March 1 (for January 1 through December 31 of the previous year) and September 1 (for July 1 of the previous year through June 30 of the current year).

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following: Name, address and telephone number of the person submitting the comments; Identification of the proposed permit (specify Permit No. 55-00001F); Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodation to participate should contact the Northcentral Regional Office at 570-327-3659. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 800-654-5984.

**08-00010I: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) has submitted an application for a plan approval to construct an electric rotary calciner rated at 550 kg/hr of output in **Bradford County**. This application is subject to the Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12. The proposed project will be controlled by a dust collector and wet scrubber in series, and will potentially emit 0.15 ton/year of particulate matter and 1.25

tons/year of ammonia. The Department has determined that the proposed levels of the air contaminants emissions satisfy the Department's BAT requirements.

Based on the findings presented above, the Department intends to issue a plan approval for the proposed project. The following is a summary of the conditions that the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable air quality regulatory requirements:

1. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12;

(a) The emissions of particulate matter from the exhaust of the wet scrubber associated with Calciner #6 shall not exceed 0.019 lb/hr and 0.083 ton/year.

(b) The emissions of particulate matter from the exhaust of the MAC area dust collector resulting from the operation of Calciner #6 shall not exceed 0.015 lb/hr and 0.066 ton/year.

2. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the emissions of ammonia from the exhaust of the wet scrubber associated with Calciner #6 shall not exceed 0.29 lb/hr and 1.25 tons/year.

3. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the particulate matter emissions from the exhaust of the Camcorp model 3BH6x9 model dust collector shall not exceed 0.01 grain per dry standard cubic foot.

4. Pursuant to the best available technology provisions of 25 Pa. Code §§ 127.1 and 127.12, the Bionomic Industries Series 5000 Model 4 Countercurrent Packed Tower Scrubber shall have a control efficiency for ammonia of at least 99.5%.

5. No more than 550 kg/hr of tungsten oxide may be produced in Source ID P221.

6. (a) The Camcorp model 3BH6x9 model dust collector shall be equipped with instrumentation to continuously monitor the pressure drop across the collector.

(b) The Department reserves the right to establish a pressure drop range for the dust collector upon the issuance of an operating permit.

7. (a) The wet scrubber shall be equipped with instrumentation to continuously monitor the pressure drop across the packed tower scrubber and the scrubbing fluid flow rate.

(b) A scrubbing fluid flow rate of 8—9 gallons per minute shall be maintained on any occasion that the wet scrubber is operating.

(c) The Department reserves the right to modify the scrubbing fluid flow range for the wet scrubber upon the issuance of an operating permit.

(d) The Department reserves the right to establish a pressure drop range for the wet scrubber upon the issuance of an operating permit.

8. (a) The permittee shall record the pressure drop across the dust collector at least once per operating day.

(b) The permittee shall record the pressure drop across the wet scrubber and the scrubbing fluid flow rate at least once per operating shift.

(c) The permittee shall maintain records, including supporting calculations, as necessary to demonstrate compliance with the particulate matter emissions and hourly throughput limitations.

(d) These records shall be kept on site for a minimum of five years and shall be presented to the Department upon request.

9. Fugitive emissions of particulate matter from the calciner feeder station, calciner cleanout station, and dust collector hopper emptying shall be controlled by the existing MAC area dust collector (ID C323 in SMOP 08-00010). The MAC area dust collector shall comply with all applicable requirements established for this control device in Synthetic Minor Operating Permit 08-00010.

10. (a) The permittee shall keep on hand sufficient quantity of spare fabric collector bags for the Camcorp model 3BH6x9 model dust collector in order to be able to immediately replace any bag requiring replacement.

(b) Any air compressor used to provide compressed air to the Camcorp model 3BH6x9 model dust collector shall be equipped with an air dryer and an oil trap.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570 327 3693.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the following: Name, address and telephone number of the person submitting the comments; Identification of the proposed permit (specify Permit No. 08-00010I); Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570 327 3648.

Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodation to participate should contact the Northcentral Regional Office at 570-327-3659. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 800-654-5984.

**18-00011J: Croda, Inc.** (8 Croda Way, Mill Hall, PA 17751) has submitted an application for a plan approval to modify the facility's Super Refined Oil (SRO) process, which includes construction of an additional oil processing column, replacement of several existing process tanks with tanks of larger capacity, and replacement of low temperature condensers, carbon adsorption, and existing 2.6 MMBtu/hr thermal oxidizer with a new 0.75 MMBtu/hr regenerative thermal oxidizer (RTO). This application is subject to the Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12

in **Clinton County**. The potential emissions of volatile organic compounds (VOCs) from the SRO process will increase by 9.2 tons/year as a result of projected demand growth for products produced using ethanol solvent, which are to be accommodated by the proposed modifications. Emissions of other air contaminants will decrease due to the higher destruction efficiency and lower fuel consumption of the proposed regenerative thermal oxidizer. The Department has determined that the proposed levels of the air contaminants emissions satisfy the Department's BAT requirements.

Based on the findings presented above, the Department intends to issue a plan approval for the proposed project. The following is a summary of the conditions that the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable air quality regulatory requirements:

1. Pursuant to the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12;

(a) The permittee shall not emit volatile organic compounds (VOCs) from the processing of batches utilizing a non-polar solvent in the SRO process in excess of 16.1 tons in any 12 consecutive month period.

(b) The permittee shall not emit volatile organic compounds (VOCs) from the processing of batches utilizing a polar solvent in the SRO process in excess of 9.7 tons in any 12 consecutive month period.

(c) The permittee shall not emit hazardous air pollutants (HAPs) from the SRO process in excess of 8.9 tons in any 12 consecutive month period.

2. Pursuant to the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the Regenerative Thermal Oxidizer burner rated at a maximum heat input capacity of 0.75 MMBtu/hr shall only be fired on natural gas.

3. Pursuant to the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the Regenerative Thermal Oxidizer shall provide at least a 99% destruction efficiency for hazardous air pollutants and/or volatile organic compounds during any time it is controlling air contaminant emissions from the SRO process.

4. (a) Within 180 days of the commencement of operation of the Regenerative Thermal Oxidizer, the permittee shall perform stack testing upon the RTO inlet and outlet while the RTO is being used to control emissions from the SRO process, while utilizing polar solvent, to determine the amount of VOCs and HAPs present and the destruction efficiency of the oxidizer using reference method test procedures acceptable to the Department.

(b) Within 180 days of the commencement of operation the RTO, the permittee shall perform stack testing upon the RTO inlet and outlet while the regenerative thermal oxidizer is being used to control emissions from the SRO process, while utilizing nonpolar solvent, to determine the amount of VOCs present and the destruction efficiency of the oxidizer using reference method test procedures acceptable to the Department.

(c) The permittee shall monitor the temperature of the exhaust gas exiting the RTO during the performance test to determine a minimum exhaust gas temperature that assures a 99% destruction efficiency of VOC/HAP is occurring on a continuous basis. The permittee shall provide this minimum exhaust gas temperature, including a technical justification for its selection, prior to incorporation of this plan approval into the facility's operating permit.

5. Pursuant to the Best Available Technology requirements of 25 Pa. Code §§ 127.1 and 127.12;

(a) The RTO shall be equipped with a system to continuously monitor and record the oxidizer exit gas temperature.

(b) The RTO shall be equipped with a flameout detection device interlocked to terminate the gas flow to the thermal oxidizer when a flameout is detected.

6. The permittee shall keep the following records for the regenerative thermal oxidizer associated with the SRO process:

(a) The continuous oxidizer exhaust gas temperature.

(b) The calculations or stack test reports that verify a volatile organic compound and hazardous air pollutant destruction efficiency of at least 99% for the thermal oxidizer.

(c) These records shall be retained for a minimum of 5 years and shall be made available to the Department upon request.

7. The permittee shall submit the following records from the SRO process to the Department on a quarterly basis:

(a) The total number of batches completed on a monthly basis.

(b) The total amount of solvent (in pounds) added to each individual campaign and the composition of the solvent blend.

(c) The total amount of solvent (in pounds) recovered from each individual campaign and the composition of the solvent blend.

(d) The date and time the resin from each individual batch is removed from the oil processing column and the date and time a sample of that resin is taken for analysis.

(e) The results of all solvent composition determinations performed on the spent resin.

(f) The dates and times that the SRO process is operating.

(g) The supporting calculations verifying compliance with the annual volatile organic compound emission limitations and the annual hazardous air pollutant emission limitation.

(h) The supporting calculations verifying compliance with the volatile organic compound emission limitation for the spent resin of each batch.

(i) The quarterly reports shall be submitted to the Department no later than March 1, June 1, September 1, and December 1 for the previous calendar quarter.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments.

Each written comment must contain the following: Name, address and telephone number of the person submitting the comments; Identification of the proposed permit (specify Permit No. 18-00011J); Concise statements regarding the relevancy of the information or objections to issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

Persons with a disability who wish to comment and require an auxiliary aid, service, or other accommodation to participate should contact the Northcentral Regional Office at 570-327-3659. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 800-654-5984.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**56-00257B: Pennsylvania Department of Corrections** (5706 Glades Pike, PO Box 631, Somerset, PA 15501) for an increase in the annual facility-wide formaldehyde emission limitation at their existing SCI Laurel Highlands facility in Somerset Township, **Somerset County**.

In accordance with 25 Pa. Code §§ 127.44—127.46, that the Department of Environmental Protection intends to modify Air Quality Plan Approval PA-56-00257B to authorize an increase in the annual facility-wide formaldehyde emission limitation at the existing SCI Laurel Highlands facility located in Somerset Township, Somerset County.

Upon authorization the facility-wide emission limitation for formaldehyde will be modified from 7.6 tons in any consecutive 12-month period to shall not equal or exceed 10 tons in any consecutive 12-month period.

This authorization will not trigger any new State or Federal regulatory requirements. The facility is subject to State and Federal regulations for the current authorization including applicable requirements of 25 Pa. Code Chapters 123 and 127; 40 CFR Part 60, Subparts Dc, JJJJ, and KKKK; 40 CFR Part 63 Subpart ZZZZ; and includes emission limitations, testing, monitoring, record keeping, reporting, and work practice requirements.

Copies of the application, DEP's analysis, and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a file review may be made by calling 412-442-4000.

Any person may submit comments or object to the plan approval or a proposed condition thereof by filing a written protest with the Department at the Southwest



Regional Office. A 30-day comment period, from the date of this publication, will exist for the submission of comments.

A protest to a proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.44 (relating to public notice). A protest shall include the name, address and telephone number of the person filing the protest, identification of the proposed plan approval issuance being opposed (Plan Approval 56-00257B) and a concise statement of the objections to the plan approval issuance; and the relevant facts upon which the objections are based.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons who have properly filed a protest under 25 Pa. Code § 127.46 may appear and give testimony. The applicant, the protestant, and other participants will be notified of the decision to hold a hearing by publication in the newspaper, by the *Pennsylvania Bulletin*, or by telephone where the Department determines such notification by telephone is sufficient.

Written comments, protests, and requests for a public hearing should be directed to Alan Binder, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the plan approval or the issuance procedure, contact Mr. Binder at 412-442-4168.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**25-053F: Urick Foundry Co., Inc.** (1501 Cherry Street, Erie, PA 16502) for installation of two (2) sand silos, a sand day tank, a mold making system, a new pouring/cooling/shakeout system, new sand blasting equipment, new grinding equipment, two (2) new baghouses and a modification of two (2) existing baghouses in Erie City, **Erie County**.

Pursuant to 25 Pa. Code §§ 127.44(a) and 127.424, the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 25-053F to Urick Foundry Company Inc. for the installation of two (2) sand silos, a sand day tank, a mold making system, a new pouring/cooling/shakeout system, new sand blasting equipment, new grinding equipment, two (2) new baghouses and a modification of two (2) existing baghouses. This facility is located in Erie City, Erie County. The Plan Approval will subsequently be incorporated into the facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 25-053F is for the installation of two (2) sand silos, a sand day tank, a mold making system, a new pouring/cooling/shakeout system, new sand blasting equipment, new grinding equipment, two (2) new baghouses and a modification of two (2) existing baghouses. Based on the information provided by the applicant and DEP's own analysis, the facility will have projected actual emissions of approximately 94.12 tons per year (tpy) of carbon monoxide, 86.61 tpy of particulate matter, 42.12 tpy of volatile organic compounds, 25.14 tpy of sulfur oxides, 19.74 tpy of nitrogen oxides and 1.07 tpy of lead.

The Plan Approval will contain emission restrictions, along with, testing, monitoring, recordkeeping, reporting, work practice and additional requirements designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, Air Quality Program, 230 Chestnut Street, Meadville, PA 16335.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. The Department will consider any written comments received within 30 days of the publication of this notice.

Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 25-053F, Urick Foundry Company Inc. and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to New Source Review Section, Air Quality Program, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335, Phone: 814-332-6940.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by calling 814-332-6940, or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

## OPERATING PERMITS

### **Intent to Issue Title V Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**46-00045: PECO Energy Co.—West Conshohocken Gas Plant** (300 Front Street, Building 3, West Conshohocken, PA 19428) for compression and storage of liquid natural gas in West Conshohocken Borough, **Montgomery County**. The facility's major air emission points include: vaporizers, preheaters, emergency generators, and a combustion turbine, which emit major levels of NO<sub>x</sub>. The facility is not subject to Compliance Assurance Monitoring under 40 CFR Part 64. The renewal contains applicable monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.



*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**54-00021: Pine Grove Landfill, Inc.** (193 Shultz Road, Pine Grove, PA 17963-8634) to issue a renewal Title V Operating Permit for a landfill facility in Pine Grove Township, **Schuylkill County**. The facility sources include a landfill and gas collection system, and three (3) landfill gas flares. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The proposed Title V Operating Permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

**54-00054: Commonwealth Environmental Systems** (PO Box 249, Dunmore, PA 18512) to issue a Title V Operating Permit for a landfill facility in Foster Township, **Schuylkill County**. The facility sources include: one (1) propane fired treatment plant boiler, landfill, landfill gas collection system, landfill gas extraction system, haul roads, two (2) diesel fuel fired emergency generators, one (1) rock crushing plant, and one (1) 20,000 gallon diesel storage tank. These sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The proposed Title V Operating Permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, record keeping and reporting conditions used to verify compliance with all applicable requirements are included.

**48-00017: C. F. Martin & Co., Inc.** (510 Sycamore Street, Nazareth, PA 18064) for renewal of a Title V Operating Permit to operate a guitar manufacturing process in Upper Nazareth Township, **Northampton County**. The facility's major sources of emissions are from 11 paint spray booths which primarily emit VOCs. The proposed Title V Operating Permit does not reflect any change in air emissions from the facility. This Title V Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**01-05029: NRG Wholesale Generation, LP** (121 Champion Way, Canonsburg, PA 15317) for their Hunterstown Generating Station in Straban Township, **Adams County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility.

The subject facility had the following actual air emissions in 2013: 192 tons CO; 154 tons NO<sub>x</sub>; 22 tons VOC; 21 tons PM<sub>10</sub>; 21 tons PM<sub>2.5</sub>; 10 tons SO<sub>x</sub>; 1.5 tons Toluene; 0.7 ton Xylenes; 0.5 ton Acetaldehyde; 0.4 ton Ethyl Benzene; 0.3 ton Propylene Oxide; 3.3 tons total HAPs; 1,883,688 tons CO<sub>2</sub>; 35 tons CH<sub>4</sub>; 4 tons N<sub>2</sub>O; and 1,885,599 tons CO<sub>2</sub>e. The Operating Permit will include emission limits and work practice standards along with

testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations. Source IDs 101, 201 and 301 are subject to the following requirements: 40 CFR Part 60, Subpart Da—Standards of Performance for Electric Utility Steam Generating Units; 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines; the Clean Air Interstate Rule (CAIR) requirements of 25 Pa. Code Chapter 145, Subchapter D, and 40 CFR Part 97; and the continuous emission monitoring systems (CEMS) requirements of 25 Pa. Code § 139.101 and 40 CFR Part 75. Source ID 031 is subject to the requirements of 40 CFR Part 60, Subpart Dc—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. Source IDs 501, 502, 701, 702, and 703 are subject to the requirements of 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the following; name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received.

William R. Weaver, Air Quality Program Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**32-00157: Peoples TWP LLC** (205 N. Main St., Butler, PA 16001-4904). In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a renewal Title V Operating Permit (TV-32-00157) to Peoples TWP LLC (Peoples TWP) for the operation of the Kinter Compressor Station, located in Rayne Township, **Indiana County**.

The main sources of emissions at the facility include four 150 bhp Ingersoll-Rand model #XVG-4 compressor engines and two 225 bhp Ingersoll-Rand model #XVG-6 compressor engines. These are sources #101—106 in the permit. The station also operates a natural gas-fired emergency electric generator (Source #107) rated at 75 kW and 140 bhp and also accounts for facility fugitive emissions (Source #108).

The Kinter Compressor Station is a major facility subject to the operating permit requirements of Title V of

the Federal Clean Air Act and 25 Pa. Code Chapter 127, Subchapters F and G (relating to operating permit requirements; and Title V operating permit requirements). In 2013, Peoples reported emitting the following type and quantity of air contaminants (on an annual basis) from the Kinter Compressor Station: 113.9 tons of carbon monoxide (CO), 38.8 tons of nitrogen oxides (NO<sub>x</sub>), 0.6 ton of particulate matter, 10-micron (PM<sub>10</sub>), 0.6 ton of particulate matter, 2.5-micron (PM-2.5), 0.02 ton of sulfur oxides (SO<sub>x</sub>), 13.5 tons of volatile organic compounds (VOC), 0.6 ton of formaldehyde (a hazardous air pollutant), 0.96 ton of hazardous air pollutants (combined). The Kinter Compressor Station also reported emissions of 4,210.1 tons of greenhouse gases (GHGs).

The emission restrictions and testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 61, 63, and 70, and 25 Pa. Code Chapters 121—145.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the operating permit or a proposed condition thereof, by filing such submissions in writing with the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All requests for a public hearing, and all protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Title V Operating Permit 32-00157) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests, and requests for a public hearing should be directed to Nicholas J. Waryanka, Air Quality Engineer, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Nicholas J. Waryanka at (412) 442-4172.

**56-00262: Mostoller Landfill, Inc.** (7095 Glades Pike, Somerset, PA 15501) for operation of a solid waste management facility in Brothers valley and Somerset Township, **Somerset County**.

In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, DEP is providing notice that it intends to issue a Title V Operating Permit (TVOP-56-000262) renewal to Mostoller Landfill, Inc. for the operation of Mostoller Landfill as a solid waste management facility located in Brothers valley and Somerset Township, Somerset County.

The Mostoller landfill accepts municipal solid wastes, construction/demolition wastes, and approved residual and special handling wastes. The facility property encompasses approximately 1,200 acres, of which 278.1 acres are permitted for landfill operations. The disposal capacity of the landfill is estimated at 3.8 million tons of waste. Sources and emissions at this facility consist of the landfill itself (consisting of disposal areas being constructed, disposal areas actively accepting waste, and closed disposal areas), roads, and earthmoving equipment.

This facility has the emissions of the following type and quantity of air contaminants (on an annual basis): 160.2 tons of carbon monoxide, 28.6 tons of nitrogen oxides, 34.3 tons of particulate matter, 7.1 tons of sulfur oxides, and 27.0 tons of volatile organic compounds. No emission or equipment changes are being proposed by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 60, 40 CFR Parts 63 and 25 Pa. Code Chapters 121—145.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the operating permit or a proposed condition thereof, by filing such submissions in writing with the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All requests for a public hearing, and all protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.521(b) (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit TV- 56-000262) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Noor Nahar, Air Quality

Engineering Specialist, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222.

**30-00219: Emerald Coal Resources, L.P.** (158 Portal Road, Waynesburg, PA 15370) for the continued operation of an existing underground coal mine and preparation plant, known as the Emerald Mine and Coal Preparation Plant, located in Franklin Township, **Greene County**.

In accordance with 25 Pa. Code §§ 127.441, 127.425, and 127.521, DEP is providing notice that they intend to issue a Title V Operating Permit to authorize the continued operation of an existing underground coal mine and preparation plant, known as the Emerald Mine and Coal Preparation Plant, located in Franklin Township, Greene County.

The facility contains air contamination sources, consisting of an underground coal mine, breaker, conveyers, chemical froth flotation system, roads, and storage piles. Particulate emissions from the breaker and screens are controlled by baghouses and from storage piles and roads by wetting. Maximum permitted capacity of the facility is 10 million tons per year of raw coal. This facility has the potential to emit the following type and quantity of pollutants: 336,000 tons per year of CO<sub>2</sub>e, 46.8 tons per year of PM<sub>10</sub> and 31.8 tons per year of VOC. No equipment or emission changes are being approved by this action. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to 40 CFR 60, Subpart Y—Standards of Performance for Coal Preparation and Processing Plants, as well as state requirements. The permit includes emission limitations, operational requirements, monitoring requirements, recordkeeping, and reporting requirements for the facility.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 30-00219) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time,

place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Martin L. Hochhauser, P.E., Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Martin Hochhauser at (412) 442-4057 or mhochhausepa.gov.

**56-00181: Southern Alleghenies Landfill, Inc.** (625 Cherrington Parkway, Moon Township, PA 15108) to issue a Title V Operating Permit (TVOP-56-000181) renewal to Southern Alleghenies Landfill, Inc. for operation of a municipal solid waste landfill in Conemaugh Township, **Somerset County**, Pennsylvania.

In accordance with 25 Pa. Code §§ 127.424, 127.425 and 127.521, the Department of Environmental Protection (DEP) is providing notice that it intends to issue a Title V Operating Permit (TVOP-56-000181) renewal to Southern Alleghenies Landfill, Inc. for the operation of a municipal solid waste landfill in Conemaugh Township, Somerset County, Pennsylvania.

The Alleghenies landfill accepts municipal solid wastes, construction/demolition wastes, and approved residual and special handling wastes. The disposal capacity of the landfill is estimated at 23.9 million tons of waste. Sources and emissions at this facility consist of the landfill itself (consisting of disposal areas being constructed, disposal areas actively accepting waste, and closed disposal areas), roads, and earthmoving equipment.

This facility has the emissions of the following type and quantity of air contaminants (on an annual basis): 93.5 tons of carbon monoxide, 49.8 tons of nitrogen oxides, 72.0 tons of particulate matter, 11.0 tons of sulfur oxides, and 15.7 tons of volatile organic compounds. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 60, 40 CFR Parts 63 and 25 Pa. Code Chapters 121—145.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the operating permit or a proposed condition thereof, by filing such submissions in writing with the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All requests for a public hearing, and all protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.521(b) (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit TV- 56-000181) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.



A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Noor Nahar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222.

---

**Intent to Issue Operating Permits under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

---

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**09-00081: Lawrence Schiff Silk Mills, Inc.—aka Thermco Products Co.** (1409 West Broad St., Quakertown, PA 18951) for a non-Title V, State Only, Natural Minor operating permit in Quakertown Borough, **Bucks County**. The permit is for the operation of a 300-horsepower, 10.0 MMBtu/hr, natural gas-fired boiler, and a 350-horsepower, 11.7 MMBTU/hr, natural gas-fired boiler. This action is a renewal of the State Only Operating Permit and for a Change of Ownership (COO). The initial permit was issued on 7-28-2004 and was renewed on 7-30-2009. The facility's potential to emit criteria pollutants is less than major thresholds; therefore the facility is a Natural Minor. The permit will include monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**40-00071: American Asphalt Paving Co.** (500 Chase Road, Shavertown, Pa. 18708-9689) a renewal operating permit for their Chase Quarry and Asphalt Plant located in Jackson Township, **Luzerne County**. The facility has the potential to emit Sulfur Oxides (SO<sub>x</sub>), Nitrogen Oxides (NO<sub>x</sub>), and Volatile Organic Compounds (VOCs) above Title V emission thresholds. The permittee is taking elective restrictions on operating hours, fuel content and usage to escape Title V requirements and maintain Synthetic Minor status. The proposed State Only (Synthetic Minor) Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting and work practice standards designed to ensure facility compliance with Federal and State air pollution regulations.

**39-00071: ANDA Sportswear, Inc.** (15 South Albert Street, Allentown, PA 18109-2700) to issue a renewal operating permit for a sportswear manufacturing facility in the City of Allentown, **Lehigh County**. The proposed operating permit contains all applicable Federal and

State regulations including emissions, monitoring, record keeping, reporting and work practice requirements.

**39-00025: LeoTaur Technology Group, Inc.** (111 Lehigh Street, Macungie, PA 18062-1302) to issue a renewal Synthetic Minor operating permit for a plastics manufacturing facility in Macungie Borough, **Lehigh County**. The facility is taking emission limits on Hazardous Air Pollutants (HAPs) and Volatile Organic Compounds (VOCs) along with limiting operating hours to maintain Synthetic Minor status. The proposed operating permit contains all applicable Federal and State regulations including emissions, monitoring, record keeping, reporting and work practice requirements.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**06-05047: Bradley Specialties Corp.** (Shartlesville Industrial Park, 50 Fieck Industrial Drive, Shartlesville, PA 19554) for their fiberglass tank manufacturing facility in Upper Bern Township, **Berks County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility.

The subject facility has actual emissions of 1.3 tpy of VOC and 1.3 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed plan approval, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the following: name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests.

Thomas Hanlon, Facilities Permitting Chief, may be contacted at 717-705-4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**21-05010: NRG REMA, LLC—Mountain Generating Station** (121 Champion Way, Canonsburg, PA 15317) for operation of a combustion turbines facility in South Middleton Township, **Cumberland County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit renewal for the abovementioned facility.



The 2013 actual emissions were 0.09 ton of CO, 17.2 tons of NO<sub>x</sub>, 0.11 ton of PM, 0.3 ton of SO<sub>2</sub>, 0.01 ton of VOC and 0.03 ton of Total HAPs. The facility's major source of emissions is attributed to the operation of two combustion turbines firing No. 2 fuel oil, which primarily emit NO<sub>x</sub>. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR Part 63 Subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the following; name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received.

Gary Helsel, Acting New Source Review Chief, may be contacted at 814-949-7935, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**21-03029: Pennsy Supply, Inc.** (PO Box 3331, Harrisburg, PA 17105) for their Mt. Holly sandstone crushing plant in Dickinson Township, **Cumberland County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit renewal for the above-mentioned facility.

The subject facility employs wet suppression to control particulate matter (PM) emissions from sandstone crushing and handling. The crushing plant includes equipment subject to 40 CFR Part 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. The facility has the potential to emit an estimated 18 tons per year of particulate matter emissions. Actual operating hours and emissions are well below maximum levels. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

A person may oppose the proposed operating permit, or may provide the Department with additional information

to consider in its review, or may request a public hearing, by filing a written protest with the Department at the address listed above. Each written comment must contain the following; name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests. A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments received.

William R. Weaver, Regional Air Quality Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**32-00316: Equitrans, LP** (200 Allegheny Center Mall, Pittsburgh, PA 15212-5861) for an operating permit renewal for the Pennview Compressor Station in West Wheatfield Township, **Indiana County**. Equipment at this facility includes two Waukesha model #L-7042GSI, 1470 bhp natural gas-fired stationary reciprocating internal combustion compressor engines equipped with oxidation catalysts, a parts washer, and a 1,000 gallon condensate storage tank. Potential emissions at this facility are estimated to be 59.0 tons per year (tpy) of NO<sub>x</sub>, 59.0 tpy CO, 25.2 tpy VOC, 1.9 tpy each PM, PM<sub>10</sub>, and PM-2.5, 0.1 tpy SO<sub>2</sub>, 0.3 tpy formaldehyde, 1.5 tpy HAPs, and 11,595.0 tpy greenhouse gases. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments or object to the operating permit or a proposed condition thereof by filing a written protest with the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

A protest to a proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest shall include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 32-00316) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons who have

properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Nick Waryanka, Air Quality Engineer, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Mr. Waryanka at (412) 442-4172.

**04-00400: Columbia Gas Transmission** (1700 MacCorkle Ave SE, PO Box 1273, Charleston, WV, 25325-1273) for a Synthetic Minor operating permit renewal for the Ellwood City Compressor Station in Franklin Township, **Beaver County**. Equipment at this facility includes two Clark model #RA-5, 500 bhp natural gas-fired stationary reciprocating internal combustion compressor engines, a LeRoi model #RXI5, 125 bhp emergency generator, four indirect-fired heaters, one heating system boiler, an odorant flare, and four storage tanks. Potential emissions at this facility are estimated to be 97.2 tons per year (tpy) of NO<sub>x</sub>, 12.4 tpy CO, 3.6 tpy VOC, 0.6 tpy PM<sub>10</sub>, and 0.84 tpy formaldehyde. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121–145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments or object to the operating permit or a proposed condition thereof by filing a written protest with the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

A protest to a proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest shall include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 04-00400) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Nick Waryanka, Air Quality Engineer, Department of Environmental Protection,

Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Mr. Waryanka at (412) 442-4172.

**63-00631: Columbia Gas Transmission** (1700 MacCorkle Ave SE, PO Box 1273, Charleston, WV, 25314) for a Natural Minor operating permit renewal for their Donegal Compressor Station in Donegal Township, **Washington County**. Equipment at this facility includes two Ingersoll-Rand model #36 KVS, 1,240 bhp natural gas-fired stationary reciprocating internal combustion compressor engines, a LeRoi model #RXIS 135 bhp emergency generator, a 2.0 mmbtu/hr heating system boiler, two indirect fired line heaters, an odorant flare, and five storage tanks. Potential emissions at this facility are estimated to be 55.1 tons per year (tpy) of NO<sub>x</sub>, 66.7 tpy CO, 29.1 tpy VOC, 0.1 tpy PM<sub>10</sub>, 0.1 tpy SO<sub>2</sub>, and 4.65 tpy formaldehyde. The facility is subject to the applicable requirements of 25 Pa. Code Chapters 121–145. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments or object to the operating permit or a proposed condition thereof by filing a written protest with the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

A protest to a proposed action shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest shall include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 63-00631) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Nick Waryanka, Air Quality Engineer, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Mr. Waryanka at (412) 442-4172.

**11-00252: C&C Smith Lumber Co.** (197 Tower Road, Summerhill, PA 15958) for a State Only Operating Permit renewal for the operation of a lumber mill, known as the Wood Pallets Plant, in Croyle Township, **Cambria County**.

The facility contains air contamination sources consisting of two, 13 MMBtu/hr, wood-fired boilers, one, 1.9 MMBtu/hr, wood-fired boiler, one, 45 MMBtu/hr, wood-fired rotary dryer, two pellet machines, a glue room with two paint booths, and a woodworking shop. Dust settling controls particulate emissions from the boilers. A multiclone controls particulate emissions from the rotary dryer. Particulate emissions from the wood working shop, glue room, and the pellet machines are controlled by baghouses. Facility emissions are 78.6 tons per year of PM<sub>10</sub>, 61.1 tons per year of VOC, 49.1 tons per year of CO, 48.6 tons per year of NO<sub>x</sub>, and 2.0 tons per year of SO<sub>2</sub>. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to applicable requirements of 40 CFR Part 63, Subparts A (General Provisions) and Subpart JJJJJJ (National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources) and 25 Pa. Code Chapters 121–145. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 11-00252) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Martin L. Hochhauser, P.E., Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Martin Hochhauser at (412) 442-4057 or mhochhause@pa.gov.

**65-00711: Airtek, Inc.** (P. O. Box 466, Irwin, PA 15642) for a State Only Operating Permit renewal for the operation of an industrial component manufacturing plant, known as the North Huntington Facility, in North Huntington Township, **Westmoreland County**.

The facility contains air contamination sources consisting of one heat cleaning oven. An afterburner controls emissions of VOC, particulate, and CO. Facility emissions are 4.4 tons per year of CO, 4.4 tons per year of VOC, and 4.4 tons per year of PM<sub>10</sub>. The facility is limited to a maximum opacity from any processing equipment of 20 percent. 25 Pa. Code Chapters 121–145. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 65-00711) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Martin L. Hochhauser, P.E., Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Martin Hochhauser at (412) 442-4057 or mhochhause@pa.gov.

**65-00912: Babcock Lumber** (2220 Palmer Street, Pittsburgh, PA 15218) for a State Only Operating Permit renewal for the operation of a lumber mill, known as the Champion Facility, in Donegal Township, **Westmoreland County**.

The facility contains air contamination sources consisting of one 12.87 MMBtu/hr, wood fired boiler, one 5.2



MMBtu/hr., No. 2 fuel oil-fired, backup boiler, one, No. 2 fuel oil-fired 1 MMBtu/hr., dimension mill heater, a dimension mill, and a spindle heater. A multiclone on the wood-fired boiler and fabric collectors on the dimension mill and spindle area control particulate emissions. Facility emissions are 24.8 tons per year of CO, 5.7 tons per year of NO<sub>x</sub>, and 9.8 tons per year of PM<sub>10</sub>. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to applicable requirements of 40 CFR Part 63, Subparts A (General Provisions) and Subpart JJJJJJ (National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources) and 25 Pa. Code Chapters 121–145. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 65-00912) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Martin L. Hochhauser, P.E., Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Martin Hochhauser at (412) 442-4057 or mhochhauser@pa.gov.

**04-00009: PACD Acquisition LLC** (6051 Wallace Road Ext, Suite 200, Wexford PA 15090) to authorize the continued operation of their Beaver Falls iron and steel pipe and tube manufacturing plant located in Beaver Falls City, **Beaver County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) gives

notice that they intend to issue a State Only Operating Permit (SOOP) renewal to PACD Acquisition LLC to authorize the continued operation of their Beaver Falls iron and steel pipe and tube manufacturing plant located in Beaver Falls City, Beaver County.

The facility consists of two boilers, two normalizer furnaces, a baf furnace, two sulfuric acid pickling tanks, a phosphoric preparation, a lubricant tank, rinse tanks, and other miscellaneous equipment associated with this type of operation. This facility has the potential to emit 1.15 ton per year of PM<sub>10</sub>, 45.66 ton per year of NO<sub>x</sub> and 1.11 tons per year of VOC. The proposed SOOP renewal contains conditions relating to monitoring, recordkeeping and work practice standards.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, requests for the Department to hold a public hearing, or protests to the operating permit or a proposed condition thereof, by filing such submissions in writing to the Department at the Southwest Regional Office. A 30-day comment period from the date of this publication will exist for the submission of comments.

All comments, requests for a public hearing, and protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 04-00009) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Noor Nahar, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Regional Office, and 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Noor Nahar at 412-442-5225.

**04-00708: Kinder Morgan Arrow Terminals (KMAT), LP** (2701 Route 68 West, Industry, PA 15052) to authorize the continued operation of the existing Industry Terminal Lot #2, located in Industry Borough, **Beaver County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425, notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) intends to issue an Air Quality State Only Operating Permit



(SOOP) Renewal to authorize the continued operation of the existing Industry Terminal Lot #2, located in Industry Borough, Beaver County.

KMAT operates this terminal for the material handling, unloading, loading, storing, crushing, screening and packaging of various products including ferroalloys such as ferrochrome, ferromanganese, ferronickel, ferrosilicon and ferrophosphorus. This facility has the potential to emit 19 tons particulate matter, 6 tons chromium compounds, 6 tons manganese compounds and 6 tons nickel compounds on an annual, 12-month rolling basis. Emissions are controlled through the use of water application and 3 baghouses. No emission or equipment changes are being proposed by this action. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Proposed SOOP Renewal includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

Copies of the proposed SOOP, renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the operating permit or a proposed condition thereof, by filing such submissions in writing with the Department at the address below. All requests for a public hearing, and all protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 04-00708) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Barbara Hatch, Environmental Engineer Manager, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 or bhatchpa.gov. For additional information concerning the permit or the issuance procedure, contact Barbara Hatch at (412) 442-5226.

**04-00439: Kinder Morgan Arrow Terminals (KMAT), LP** (2701 Route 68 West, Industry, PA 15052) In accordance with 25 Pa. Code §§ 127.424 and 127.425, notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) intends to issue an Air Quality State Only Operating Permit (SOOP) Re-

newal to authorize the continued operation of the existing Industry Terminal Lot #1, located in Industry Borough, **Beaver County**.

KMAT operates this terminal for the handling, storing, crushing and screening of various materials including ferroalloys such as ferrochrome, ferromanganese, ferronickel, ferrosilicon and ferrophosphorus. This facility has the potential to emit 13.4 tons particulate matter, 4.1 tons chrome compounds, 4.1 tons manganese compounds and 4.1 tons nickel compounds on an annual, 12-month rolling basis. Emissions are controlled through the use of water application and 2 baghouses. No emission or equipment changes are being proposed by this action. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Proposed SOOP Renewal includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

Copies of the proposed SOOP, renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the operating permit or a proposed condition thereof, by filing such submissions in writing with the Department at the address below. All requests for a public hearing, and all protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 04-00439) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Barbara Hatch, Environmental Engineer Manager, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 or bhatchpa.gov. For additional information concerning the permit or the issuance procedure, contact Barbara Hatch at (412) 442-5226.

**04-00712: Kinder Morgan Arrow Terminals—KMAT, LP** (2701 Route 68 West, Industry, PA 15052) to authorize the continued operation of the existing Industry Terminal Lot No. 3, in Industry Borough, **Beaver County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425, notice is hereby given that the Pennsylvania Department of Environmental Protection (DEP) intends

to issue an Air Quality State Only Operating Permit (SOOP) Renewal to authorize the continued operation of the existing Industry Terminal Lot #3, located in Industry Borough, Beaver County.

KMAT operates this terminal for the unloading, loading, storing, crushing and screening and bagging of various materials, including ferrochrome, ferromanganese, ferronickel, ferrosilicon and ferrophosphorus. This facility has the potential to emit 27.4 tons particulate matter, 6.6 tons chromium compounds, 9.4 tons manganese compounds, 2.7 tons phosphorous compounds and 0.1 ton nickel compounds on an annual, 12-month rolling basis. Emissions are controlled through the use of water application and 2 baghouses. No emission or equipment changes are being proposed by this action. This facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. Proposed SOOP Renewal includes conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

Copies of the proposed SOOP, renewal application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222. Appointments for scheduling a review must be made by calling 412-442-4000.

Any person may submit comments, a request for the Department to hold a public hearing, or a protest to the operating permit or a proposed condition thereof, by filing such submissions in writing with the Department at the address below. All requests for a public hearing, and all protests to a proposed action, shall be filed with the Department within 30 days of the date that notice of the proposed action was published under 25 Pa. Code § 127.424 (relating to public notice). A protest must include the name, address and telephone number of the person filing the protest, identification of the proposed permit issuance being opposed (Operating Permit 04-00712) and a concise statement of the objections to the permit issuance and the relevant facts upon which the objections are based.

A public hearing may be held in accordance with 25 Pa. Code § 127.429, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. If a public hearing is held, all persons who have properly filed a protest under 25 Pa. Code § 127.426 may appear and give testimony. The applicant, the protestant and other participants will be notified of the decision to hold a hearing (and the time, place and purpose of such hearing) by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient.

Written comments, protests and requests for a public hearing should be directed to Barbara Hatch, Environmental Engineer Manager, Department of Environmental Protection, Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 or [bhatchpa.gov](mailto:bhatchpa.gov). For additional information concerning the permit or the issuance procedure, contact Barbara Hatch at (412) 442-5226.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6131*

**27-00008: Industrial Timber & Lumber Corp.—Endeavor** (23925 Commerce Park, Beachwood, OH

44122) to renew a State Only Operating Permit for the saw mill & dry kiln facility located in Hickory Township, **Forest County**. The primary sources at the facility are a 23.4 million Btu/hr wood-fueled boiler, two 750,000 Btu/hr wood-fueled boilers, wood drying kilns, saw mill operations, saw dust collection, and a parts washer. Potential Emissions for the site are less than the Title V thresholds. The facility is a Natural Minor. The boiler is subject to 40 CFR Part 63 Subpart JJJJJJ, the NESHAP for Area Source Boilers. The permit contains emission restrictions, recordkeeping, and work practice requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department. A copy of the application is available for inspection at the district mining office indicated before each application. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of persons submitting comments or objections, application number and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

A request for an informal conference or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 or § 86.34, must contain the name, address and telephone number of the requestor; the application number; a brief summary of the issues to be raised by the requestor at the conference; and a statement whether the requestor desires to have the conference conducted in the locality of the proposed mining activities.

When an NPDES number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

*Coal Applications Returned*

*California District Office: 25 Technology Drive, Coal Center, PA*

**1542330841312 and NPDES No. PA0013790, Consolidation Coal Company**, (1 Bridge Street, Monongah, WV 26554). To revise the permit for the Blacksville Mine No. 2 in Gilmore Township, **Greene County** and related NPDES permit to install thirteen degasification boreholes, Surface Acres Proposed 13.85, no additional discharges. The application was considered administratively complete on October 16, 2013. Application received August 28, 2013. Application returned May 9, 2014.

*Coal Applications Received*

*California District Office: 25 Technology Drive, Coal Center, PA 15423*

**30841316. Consol Pennsylvania Coal Company LLC**, (1525 Pleasant Grove Rd., PO Box J, Claysville, PA 15323). To revise the permit for the Bailey Mine & Prep Plant in Richhill Township, **Greene County** for a modification to conduct full extraction mining under Polen Run in panels 1L and 2L and to perform stream restoration on that segment of Polen Run (Trib 32603) located 1,260 ft. south east of Rush Run and Polen Run Road intersection and continuing to point 4,350 ft. south west of the intersection. Restoration area is approximately 4,750 linear ft. and is located on Wind Ridge, PA Quadrangle USGS map located at 39° 53' 26", -80° 25' 0" W. No additional discharges. The application was considered administratively complete on May 9, 2014. Application received April 16, 2014.

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601*

**02090101 and NPDES Permit No. PA0251585. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258). Renewal application for reclamation only to an existing bituminous surface mine, located in Jefferson Hills Borough, **Allegheny County**, affecting 79.9 acres. Receiving streams: unnamed tributaries to Monongahela River, classified for the following use: CWF.

There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: May 5, 2014.

**65810113 and NPDES Permit No. PA0615668. M.B. Energy, Inc.** (175 McKnight Road, Blairsville, PA 15717). Renewal application for continued passive treatment system to an existing bituminous surface mine, located in Cook and Donegal Townships, **Westmoreland County**, affecting 103.8 acres. Receiving stream: unnamed tributary to Fourmile Run, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: May 5, 2014.

**63120103 and NPDES Permit No. PA0252310. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Revision application for stream crossing variance to an existing bituminous surface mine, located in Nottingham Township, **Washington County**, affecting 276.4 acres. Application also includes a request for a Section 401 Water Quality Certification. Receiving streams: unnamed tributaries to Mingo Creek and Mingo Creek, classified for the following use: HQ-TSF. The potable water supply intake within 10 miles downstream from the point of discharge: PA American Water—Aldrich Plant. Application received: May 7, 2014.

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669,*

**43080103. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127) Renewal of an existing bituminous surface mine in Jackson Township, **Mercer County**, affecting 14.2 acres. Receiving streams: Unnamed tributary to Yellow Creek, classified for the following uses: TSF. There are no potable surface water supply intakes within 10 miles downstream. This renewal is for reclamation only. Application received: May 6, 2014.

*Noncoal Applications Received*

*Effluent Limits*—The following effluent limits will apply to NPDES permits issued in conjunction with a noncoal mining permit:

Parameter	Table 2		
	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to surface runoff resulting from a precipitation event of less than or equal to a 10-year 24-hour event. If coal will be extracted incidental to the extraction of noncoal minerals, at a minimum, the technology-based effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931*

**Permit No. 34130301 and NPDES No. PA0269409. Jay Fulkroad & Sons, Inc.**, 2736 Free Spring Church Road, McAlisterville, PA 17049, commencement, operation and restoration of a noncoal surface mine in Fayette Township, **Juniata County** affecting 32.74 acres. Receiving streams: Delaware Creek classified for the following use: trout stocked fishery/migratory fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 31, 2014.

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669*

**16030302. I. A. Construction Corporation** (P. O. Box 568, 24 Gibb Road, Franklin, PA 16323) Renewal of NPDES Permit No. PA0242365 in Richland & Licking Townships, **Clarion County**. Receiving streams: Unnamed tributary to



Turkey Run, classified for the following uses: CWF; and unnamed tributary to the Clarion River, classified for the following uses: HQ-CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: April 29, 2014.

**25900301. Lakeland Aggregates, Inc.** (13053 State Route 89, Wattsburg, PA 16442). Revision to an existing large industrial minerals surface mine to change the post-mining land use from unmanaged natural habitat to commercial in Venango Township, **Erie County**. Receiving streams: Bailey Brook and unnamed tributary to Bailey Brook, classified for the following uses: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: April 29, 2014.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901*

**Permit No. 15830602C14 and NPDES Permit No. PA0614203. Allan A. Myers, LP dba Independence Construction Materials**, (638 Lancaster Avenue, Malvern, PA 19355), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Charlestown Township, **Chester County** affecting 87.74 acres, receiving stream: Pickering Creek, classified for the following use: HQ—trout stock fishes. Application received: May 1, 2014.

### MINING ACTIVITY NPDES DRAFT PERMITS

This notice provides information about applications for a new, amended or renewed NPDES permits associated with mining activity (coal or noncoal) permits. The applications concern industrial waste (mining) discharges to surface water and discharges of stormwater associated with mining activities. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

The Department of Environmental Protection (Department) has prepared a draft NPDES permit and made a tentative determination to issue the NPDES permit in conjunction with the associated mining activity permit.

#### *Effluent Limits for Coal Mining Activities*

For coal mining activities, NPDES permits, when issued, will contain effluent limits that are the more stringent of technology-based (BAT) effluent limitations or Water Quality Based Effluent Limits (WQBEL).

The BAT limits for coal mining activities, as provided in 40 CFR Part 434 and 25 Pa. Code Chapters 87—90 are as follows:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (Total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH*		greater than 6.0; less than 9.0	
Alkalinity greater than acidity*			

\*The parameter is applicable at all times.

In addition, the Department imposes a technology-based aluminum limit of 2.0 mg/l (30 day average) to protect stream uses.

A settleable solids instantaneous maximum limit of 0.5 ml/l applies to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; mined areas backfilled and revegetated; and all other discharges and drainage (resulting from a precipitation event of greater than 1-year 24-hour to less than or equal to a 10-year 24-hour event) from coal refuse disposal piles. Similarly, modified BAT limits apply to iron, manganese and suspended solids in surface runoff, discharges and drainage resulting from these precipitation events and those of greater magnitude in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

Exceptions to BAT effluent limits may be applicable in accordance with 25 Pa. Code §§ 87.102, 88.92, 88.187, 88.292, 89.52 and 90.102.

#### *Effluent Limits for Noncoal Mining Activities*

The BAT limits for noncoal mining activities as provided in 40 CFR Part 436 and 25 Pa. Code Chapter 77 are as follows:

<i>Parameter</i>	<i>30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity*			
pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional water quality based effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description specifies the parameters.

In addition to BAT or WQBEL limits, coal and noncoal NPDES permits establish effluent limitations in the form of implemented Best Management Practices (BMPs) identified in the associated Erosion and Sedimentation Plan, the



Reclamation Plan and the NPDES permit application. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters in this Commonwealth.

More restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining that may occur are incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 362-0600-001, NPDES Program Implementation-Memorandum of Understanding (MOU) Concerning Water Quality Management, NPDES Program Implementation, and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Load(s). Additional discharge limitations may apply in the event that unexpected discharges occur.

Discharge rates for surface mining activities are precipitation driven. Discharge rates for proposed discharges associated with underground mining are noted in the permit description.

Persons wishing to comment on an NPDES draft permit should submit a written statement to the Department at the address of the district mining office indicated before each draft permit within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92a.82(d). The request or petition for a public hearing shall be filed within 30 days of this public notice and contain the name, address, telephone number and the interest of the party filing the request, and state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### *Coal NPDES Draft Permits*

*California District Office: 25 Technology Drive, Coal Center, PA 15423*

**NPDES No. PA0235601 (Mining Permit No. formerly 11031701), ArcelorMittal Pristine Resources LLC**, (PO Box 36, 129 Bethlehem Road, Revloc, PA 15948). A revision to the renewed NPDES permit issued January 4, 2013 for the Mine 31 AMD Plant in Jackson Township, **Cambria County**. This NPDES draft permit is also being published in compliance with 25 Pa. Code § 92a.88, as a result of a settlement of an Environmental Hearing Board appeal at EHB Docket No. 2013-021-R (consolidated with 2013-028-R) issued on January 21, 2014. Surface Acres Affected 72.82. Receiving stream: UNT South Branch of Blacklick Creek, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watersheds TMDL. Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

*Outfall 001 discharges to: UNT South Branch of Blacklick Creek*

The proposed effluent limits for Outfall 001 (Lat: 40° 27' 10.2" Long: 78° 49' 38.8") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	REPORT
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		0.75	0.75	0.75
Sulfates (mg/l)		-	-	REPORT
Specific Conductance (umho)		-	-	REPORT
Total Suspended Solids (mg/l)		35	70	90

**NPDES No. PA0235512 (Mining Permit No. formerly 11031702), ArcelorMittal Pristine Resources LLC**, (PO Box 36, 129 Bethlehem Road, Revloc, PA 15948). A revision to the renewed NPDES issued January 28, 2013 for the Mine 77 AMD Plant in East Taylor Township, **Cambria County**. This NPDES draft permit is also being published in compliance with 25 Pa. Code § 92a.88, as a result of a settlement of an Environmental Hearing Board Appeal at EHB Docket No. 2013-021-R (consolidated with 2013-028-R) issued on January 21, 2014. Surface Acres Affected 22.84. Receiving stream: UNT to Little Conemaugh River, classified for the following use: WWF. Kiskiminetas-Conemaugh River Watersheds TMDL.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

*Outfall 001 discharges to: UNT Little Conemaugh River*

The proposed effluent limits for Outfall 001 (Lat: 40° 22' 48" Long: 78° 50' 58") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	-	REPORT
Iron (mg/l)		3.5	7.0	7.0
Manganese (mg/l)		2.0	4.0	5.0

<i>Parameter</i>		<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Aluminum	(mg/l)		0.75	0.75	0.75
Sulfates	(mg/l)		-	-	REPORT
Specific Conductance	(umho)		-	-	REPORT
Total Suspended Solids	(mg/l)		35	70	90

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931*

**NPDES No. PA0262242 (Mining Permit No. 11060103), Hoffman Mining, Inc.**, P. O. Box 130, 118 Runway Road, Friedens, PA 15541 renewal of an NPDES permit for surface mining activities in Adams Township, **Cambria County**, affecting 182.1 acres. Receiving stream: Paint Creek, classified for the following use: cold water fishery. This receiving stream is included in the Kiskiminetas-Conemaugh Rivers TMDL. Application received: April 8, 2014.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for coal mining activities.

The stormwater outfall listed below discharges to Paint Creek:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
001	N

The proposed effluent limits for the above listed outfall are as follows:

<i>Outfall: 01 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times

Alkalinity must exceed acidity at all times

**NPDES No. PA0234541 (Mining Permit No. 56970104), Sherpa Mining Contractors, Inc.**, 337 Benny Road, Hooversville, PA 15936 renewal of an NPDES permit for surface coal mining in Shade Township, **Somerset County**, affecting 95.1 acres. Receiving streams: unnamed tributaries to Stonycreek River, classified for the following use: Cold Water Fishery. This receiving stream is included in the Kiskiminetas-Conemaugh Rivers TMDL. Application received: March 12, 2014.

The stormwater outfall listed below discharges to an unnamed tributary to the Stony Creek River:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
004	N

The proposed effluent limits for the above listed outfall is as follows:

<i>Outfall: 004 Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0

pH (S.U.): Must be between 6.0 and 9.0 standard units at all times

Alkalinity must exceed acidity at all times

#### *Noncoal NPDES Draft Permits*

*Knox District Mining Office: P. O. Box 669, 310 Best Avenue, Knox, PA 16232-0669*

**NPDES No. PA0242365 (Permit No. 16030302). I. A. Construction Corporation** (P. O. Box 568, Franklin, PA 16323) Renewal of an existing NPDES permit for a large industrial minerals surface mine in Richland & Licking Townships, **Clarion County**, affecting 143.5 acres. Receiving streams: Unnamed tributary No. 1 to Turkey Run, classified for the following uses: HQ-CWF; and unnamed tributary No. 3 to the Clarion River, classified for the following uses: CWF. TMDL: Lower Clarion River. Application received: April 29, 2014.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for noncoal mining activities.

The outfall(s) listed below discharge to unnamed tributary No. 3 to the Clarion River:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TA	N
TB	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Alkalinity greater than acidity <sup>1</sup>				
Total Suspended Solids (mg/l)				90

<sup>1</sup> The parameter is applicable at all times.

The outfall(s) listed below require a non-discharge alternative:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
TC	N

The outfall(s) listed below discharge to unnamed tributary No. 3 to the Clarion River:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
A	N
B	N

The proposed effluent limits for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)				7.0
Alkalinity greater than acidity <sup>1</sup>				
Total Settleable Solids (ml/l)				0.5
Total Suspended Solids (mg/l)				90

The outfall(s) listed below require a non-discharge alternative:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
C	N

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866*

**NPDES No. PA0237825 (Mining Permit No. 14980301), Graymont (PA) Inc.**, 965 East College Avenue, State College, PA 16823. NPDES permit renewal for industrial minerals deep mine noncoal operation in Spring Township, **Centre County** affecting 481.1 acres. Receiving stream(s): Logan Branch (Spring Creek) classified for the following use(s): Cold Water Fishes. Application received: December 18, 2013.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for noncoal mining activities.

The outfall(s) listed below discharge to Logan Branch:

<i>Outfall No.</i>	<i>New Outfall (Y/N)</i>
010-B Logan Branch pipeline	N

The proposed effluent limits\* for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	3.75
Manganese (mg/l)		1.0	2.0	2.5
Total Suspended Solids (mg/l)		35	70	90

\*As measured at pipeline monitoring port located between the holding tank near the Whiterock sinkhole and the final pipeline discharge

<i>Parameter</i>	<i>Period</i>	<i>Measurement Frequency</i>	<i>Instant. Maximum</i>
Temperature (°F)	June 15—September 30	Once per hour when discharging at outfall at Logan Branch	Monitor Only

**NPDES No. PA0118001 (Mining Permit No. 1479401), Graymont (PA) Inc.**, 965 East College Avenue, State College, PA 16823. NPDES permit renewal for industrial minerals deep mine noncoal operation in Spring Township, **Centre County** affecting 257.8 acres. Receiving stream(s): Logan Branch (Spring Creek) classified for the following use(s): Cold Water Fishes. Application received: December 18, 2013.

Unless otherwise noted for a specific outfall, the proposed effluent limits for all outfalls in this permit are the BAT limits described above for noncoal mining activities.

The outfall(s) listed below discharge to Logan Branch:

*Outfall No.*  
010-B Logan Branch pipeline

*New Outfall (Y/N)*  
N

The proposed effluent limits\* for the above listed outfall(s) are as follows:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
pH <sup>1</sup> (S.U.)	6.0			9.0
Iron (mg/l)		1.5	3.0	3.75
Manganese (mg/l)		1.0	2.0	2.5
Total Suspended Solids (mg/l)		35	70	90

\*As measured at pipeline monitoring port located between the holding tank near the Whiterock sinkhole and the final pipeline discharge

<i>Parameter</i>	<i>Period</i>	<i>Measurement Frequency</i>	<i>Instant. Maximum</i>
Temperature (°F)	June 15—September 30	Once per hour when discharging at outfall at Logan Branch	Monitor Only

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Each individual will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

**Applications Received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.**

## WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900*

**E09-982. PA Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676, Bensalem, Bristol, Middletown Townships, **Bucks County**, ACOE Philadelphia District.

This application is part of an overall project for associated impacts; to construct the proposed I-276/I-95 Interchange Project which involves a high-speed, fully directional interchange between the Pennsylvania Turnpike (I-276) and Interstate 95 (I-95). The project also includes relocation of the Pennsylvania Turnpike barrier toll plaza (Interchange 359), widening of I-276 from four to six lanes between Interchange 351 and the Delaware River, and construction of an additional parallel bridge across the Delaware River. In addition, I-95 would be widened to accommodate ramps and merge lanes resulting from the construction of the interchange.

This permit is for roadway construction and widening along I-276 extend approximately 9.2 miles along I-276 from just west of Interchange 351, Bensalem Township, Bucks County, Pennsylvania (Langhorne, PA USGS Quadrangle N: 1.6 inches; W: 14.8 inches), across the Delaware River Turnpike Bridge into Burlington and Florence Townships, Burlington County, New Jersey (Bristol, PA-NJ USGS Quadrangle N: 20.2 inches; W: 8.3 inches). Approximately 1.3 miles of the study limits are located in New Jersey. The study limits along I-95 extend 3.2 miles from just south of Trenton Road in Middletown Township, Bucks County, Pennsylvania (Langhorne, PA USGS Quadrangle N: 3.4 inches; W: 2.9 inches), to the east bank of the Neshaminy Creek in Bristol Township, Bucks County, Pennsylvania (Beverly, PA USGS Quadrangle N: 18.8 inches; W: 3.8 inches).

The overall project proposes to permanently impact a total of 1.83 acres of wetlands (PEM/PSS/PFO) and 7,939 linear feet of perennial stream. The applicant proposes to create, restore, enhance and protect wetlands, streams and riparian habitat as compensatory mitigation for impacts. Compensatory wetland mitigation for the entire project will occur on land owned by the Pennsylvania Turnpike Commission (PTC) located at the corner of Zimmerman Lane and Newportville Road in Middletown



Township, Bucks County; and stream mitigation will occur along Mill Creek in the Plumbridge Community in Bristol Township, Bucks County.

The project is divided into three stages of construction. Stage 1 of the project includes the completion of the Interstate 95 connections and toll system conversion. Stage 1 construction activities are anticipated to occur between 2010 and 2017. Stage 2 of the project includes completion of the remaining interchange movements and associated highway widening, while Stage 3 would include the construction of the new Delaware River Bridge and rehabilitation of the existing bridge. Stage 2 and Stage 3 construction is anticipated to occur after 2017.

The construction work for Phase IV of Stage 1 (Design Section D20) includes the following water obstruction and encroachment activities:

1. To place fill for the construction of the roadway interchange of I-276 and I-95 in the emergent wetland S10-PEM that drains to an unnamed tributary to Neshaminy Creek. The impacts are located under proposed I-95 NB, from Sta. 451+71 to 456+26 (Langhorne, PA Quadrangle N: 0.35 inch W: 1.75 inches; Latitude: 40° 7' 34.74", Longitude: 74° 53' 13.66"). Permanent impact of 0.221 acre of emergent wetland (S10-PEM).

2. To place fill for the construction of the roadway interchange of I-276 and I-95 in the scrub-shrub wetland S7-PSS that drains to an unnamed tributary to Neshaminy Creek. The impacts are located under proposed I-195, from Sta. 547+00 to 549+69 Lt. (Beverly, NJ—PA Quadrangle N: 22.75 inches W: 1.95 inches; Latitude: 40° 7' 28.47", Longitude: 74° 53' 19.41"). Permanent impact of 0.154 acre of scrub-shrub wetland (S7-PSS).

3. To place fill for the construction of the roadway interchange of I-276 and I-95 in the scrub-shrub wetland S6-PSS that drains to an unnamed tributary to Neshaminy Creek. The impacts are located under proposed I-195, from Sta. 549+62 to 552+33 Lt. (Beverly, NJ—PA Quadrangle N: 22.75 inches W: 2.00 inches; Latitude: 40° 7' 30.48", Longitude: 74° 53' 19.90"). Permanent impact of 0.081 acre and temporary impact of 0.153 acre of scrub-shrub wetland (S6-PSS).

4. To fill and relocate the intermittent stream S4B-R4 (1) within the proposed construction limits that drains to an unnamed tributary to Neshaminy Creek. The impacts are located on the east side of I-95, adjacent to the northbound lanes from Sta. 1542+46 to Sta. 1546+27 (Beverly, NJ—PA Quadrangle N: 22.50 inches W: 1.75 inches; Latitude: 40° 7' 23.64", Longitude: 74° 53' 18.53"). Permanent impact of 388 linear feet of intermittent stream channel. The existing channel will be filled and will not be relocated into a new channel [S4B-R4 (1)].

5. To fill and relocate the intermittent stream S9C-R4 (1) within the proposed construction limits that drains to an unnamed tributary to Neshaminy Creek. The impacts are located on the west side of I-95, adjacent to the southbound lanes from Sta. 381+80 to 387+00 (Beverly, NJ—PA Quadrangle N: 22.45 inches W: 1.80 inches; Latitude: 40° 7' 30.13", Longitude: 74° 53' 16.34"). Permanent impact of 480 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel 610 feet in length [S9C-R4 (1)].

6. To fill and relocate the intermittent stream S4A-R4 (1) within the proposed construction limits that drains to an unnamed tributary to Neshaminy Creek. The impacts

are located on the east side of I-95, adjacent to the northbound lanes from Sta. 1553+25 to 1546+27 (Langhorne, PA Quadrangle N: 0.10 inch W: 1.80 inches; Latitude: 40° 7' 30.13", Longitude: 74° 53' 16.34"). Permanent impact of 711 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel 1,050 feet in length [S4A-R4 (1)].

7. To fill and relocate the intermittent stream S9B-R4 (1) within the proposed construction limits that drains to an unnamed tributary to Neshaminy Creek. The impacts are located on the west side of I-95, adjacent to the southbound lanes from Sta. 546+85 to 563+38 (Beverly, NJ—PA Quadrangle N: 22.80 inches W: 1.90 inches; Latitude: 40° 7' 35.17", Longitude: 74° 53' 21.24"). Permanent impact of 1,396 linear feet of intermittent stream channel. The existing channel will be filled and relocated into a new channel 560 feet in length [S9B-R4 (1)].

8. To fill and relocate the intermittent stream S9B-R4 (2) within the proposed construction limits that drains to an unnamed tributary to Neshaminy Creek. The impacts are located on the east side of I-95, adjacent to the southbound lanes (Langhorne, PA Quadrangle N: 0.20 inch W: 2.00 inches; Latitude: 40° 7' 42.93", Longitude: 74° 53' 24.19"). Permanent impact of 250 linear feet of intermittent stream channel. The existing channel will be filled and will not be relocated into a new channel [S9B-R4 (2)].

9. To fill and relocate into a culvert and new channel, perennial stream S9A-R2 (2 & 3) within the proposed construction limits along I-95 that drains to Neshaminy Creek from station 446+29 to 446+79. Permanent impact of 167 linear feet of perennial stream channel; 87 linear feet (east side of NB I-95) and 80 linear feet (west side of SB I-95) (Beverly, NJ—PA Quadrangle N: 22.75 inches W: 1.75 inches; NB—Latitude: 40° 7' 32.7" Longitude: 74° 53' 16.01"; SB—Latitude: 40° 07' 28.03" Longitude: 74° 53' 22.25"). The existing channel will be placed into two culvert extensions, one east of and one west of I-95 for a permanent impact of 167 linear feet of new culvert. There will be a permanent loss of 167 linear feet of perennial stream channel [S9A-R2 (2 & 3)].

To place fill and grade perennial stream channel S1A-R2 (3 & 4) within the proposed construction limits that drains to Neshaminy Creek. The impacted stream channel is located on the west side of I-95 adjacent to Ramp AA from Sta. 309+82 to Ramp AA Sta. 311+81 (Beverly, PA—NJ Quadrangle N: 19.5 inches W: 3.0 inches; Latitude: 40° 06' 22.44" Longitude: 74° 53' 49.74"). Permanent impact of 160 linear feet and temporary impact of 180 linear feet of perennial stream channel [S1A-R2 (3 & 4)].

*Northeast Region: Waterways and Wetlands Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone 570-826-2511.*

**E35-450. The Countryside Conservancy**, P. O. Box 55, La Plume, PA 18440, in Glenburn Township, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain a boardwalk over 0.02 acre of PEM wetlands and 15-foot over the 100-year floodway of UNT to Ackerly Creek (CWF). The construction is associated with the Northern Electric Trolley Trail. The project is located on the east side of State Route 0411 approximately 0.70 mile from the intersection of US Route 0011 (Dalton, PA Quadrangle, Latitude: 41°31'46"; Longitude: -75°44'4").

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ed Muzic, Section Chief, 717.705.4802.*

**E36-927: Transcontinental Gas Pipeline Company, LLC.**, 2800 Post Oak Boulevard, Level 17, Houston, TX, 77056, Drumore Township, **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District

To install and maintain a 60.0-foot long, 15.0-foot wide, single-span, steel beam bridge with cast-in-place concrete abutments over Wissler Run (HQ-WWF) (Latitude 39°48'19", Longitude -76°17'37") for the purpose of safely accessing a pipeline gate station in Drumore Township, Lancaster County. No wetlands will be impacted by this project.

**E36-923: PA Department of Transportation Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103, in Elizabeth Township, **Lancaster County**, U.S. Army Corps of Engineers, Baltimore District

To regrade the existing swale with a bottom width of 1.0' and a low flow channel of 0.5' deep rising at a 3:1 side slope, widening out to a 1.0' wide by 1.5' deep floodplain bench on both sides, permanently impacting 367' of a UNT to Hammer Creek (TSF, MF), temporarily impacting 0.05 acre of Palustrine Emergent wetlands, and permanently impacting 0.04 acre of PEM wetlands, all for the purpose of improving transportation safety and roadway standards. The project is located along Sleepy Hollow Rd./SR 1026, approximately 400' south of the SR 1026/SR 1028 intersection in Elizabeth Township, Lancaster County (Latitude: 40° 12' 43", Longitude: -76° 16' 54"). Permanent wetland impacts are considered de minimus and wetland replacement is not required.

**E31-231: PA Department of Transportation Engineering District 9-0**, 1620 North Juniata Street Hollidaysburg, PA 16648, in Coalmont Borough, **Huntingdon County**, U.S. Army Corps of Engineers, Baltimore District

To: 1) remove the existing structure and to construct and maintain a single-span composite pre-stressed concrete box beam bridge skewed 45°, having a normal clear span of 55', a width of 35' 6", and an underclearance of 4' 6.875", across Shoup Run (WWF, MF), (Latitude: 40° 12' 41", Longitude: -78° 12' 06"); 2) remove the existing structure and to construct and maintain a 17' by 5.5' precast reinforced concrete box culvert with baffles, 39' 3" in length, depressed 12", and skewed 60° across Coal Bank Run (Latitude: 40° 12' 41", Longitude: -78° 12' 03"); 3) construct and maintain three J hook rock cross vanes in and across Shoup Run; 4) upstream gravel bar removal in Shoup Run; 5) excavate a pool under the bridge across Shoup Run; 6) upstream and downstream bank stabilization along Shoup Run, all for the purpose of improving transportation safety and roadway standards. The project will involve four temporary stages of construction using temporary stream diversions and causeways for the demolition and construction involved with this project. The project is located along SR 0913 in Coalmont Borough, Huntingdon County.

**E07-445: Logan Township Board of Supervisors**, 100 Chief Logan Circle, Altoona, PA 16602. Logan Township Sanitary Sewer Improvements in Logan Township, **Blair County**, Army Corps Of Engineers Baltimore District (Altoona, PA Quadrangle).

To install and maintain an 8-inch PVC sanitary sewer line crossing

(1) 8-linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 59", -78° 24' 09"),

(2) 8-linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 34", -78° 23' 30"),

(3) 20-linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 39", -78° 23' 45"),

(4) 5-linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 38", -78° 23' 40"),

(5) 8-linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 40", -78° 23' 39"),

(6) 8-linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 38", -78° 23' 29"),

(7) 8-linear feet of Burgoon Run (TSF, MF) (40° 29' 19", -78° 26' 29"),

(8) 5-linear feet of Burgoon Run (TSF, MF) (40° 29' 20", -78° 26' 29"),

(9) 40-linear feet of Burgoon Run (TSF, MF) (40° 29' 16", -78° 26' 24"),

(10) 8 Linear Feet of an Unnamed Tributary to Burgoon Run (40° 29' 23", -78° 26' 34"),

(11) 13-linear feet of Burgoon Run (TSF, MF) (40° 29' 20", -78° 26' 31"),

(12) 10 Linear Feet of an Unnamed Tributary to Burgoon Run (40° 29' 28", -78° 26' 52"),

(13) 12 Linear Feet of an Unnamed Tributary to Burgoon Run (40° 29' 23", -78° 27' 06"),

(14) 30 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 28", -78° 22' 39"),

(15) 8 Linear Feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 40", -78° 22' 54"),

(16) 11 Linear Feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 30", -78° 23' 06"),

(17) 8 Linear Feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 30", -78° 23' 05"),

(18) 10 Linear Feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 37", -78° 23' 11"),

(19) 17 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 30", -78° 23' 24"),

(20) 17 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 30", -78° 23' 20"),

(21) 32 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 31", -78° 23' 21"),

(22) 22 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 31", -78° 23' 28"),

(23) 5 Linear Feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 40", -78° 23' 57"),

(24) 25 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 37", -78° 23' 51"),

(25) 13 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 35", -78° 23' 48"),

(26) 20 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 46", -78° 24' 10"),

(27) 14 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 45", -78° 24' 07"),

(28) 27 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 43", -78° 24' 03"),

(29) 15 Linear Feet of Homer Gap Run (WWF, MF) (40° 33' 41", -78° 24' 03"),

(30) 8 Linear Feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 49", -78° 24' 19"),

(31) 20 Linear Feet of Dry Gap Run (WWF, MF) (40° 32' 00", -78° 28' 48"),

(32) 8 Linear Feet of an Unnamed Tributary to Burgoon RUN (WWF, MF) (40° 29' 29", -78° 26' 50"),

(33) 0.06 acre of PEM/PSS wetland which are classified as exceptional value (40° 31' 26", -78° 21' 50"),

(34) 0.04 acre of PEM Wetlands (40° 29' 16", -78° 26' 12"),

(35) 0.03 acre of PEM wetlands which are classified as Exceptional Value (40° 29' 19", -78° 26' 13"),

(36) 0.04 acre of PSS wetlands which are classified as exceptional Value (40° 29' 25", -78° 26' 44"),

(37) 0.07 acre of PSS wetlands (40° 29' 21", -78° 26' 36"),

(38) 0.02 acre for of PEM wetlands which are classified as Exceptional Value (40° 29' 20", -78° 26' 31"),

(39) 0.02 acre of PEM wetlands and 0.02 acre of PFO wetlands (40° 29' 29", -78° 26' 56"),

(40) 0.02 acre of PEM wetlands which are classified as exceptional value (40° 29' 25", -78° 26' 45"),

(41) 0.17 acre of PEM wetlands which are classified as exceptional value (40° 33' 31", -78° 22' 45"),

(42) 0.05 acre of PFO wetlands which are classified as exceptional value (40° 33' 30", -78° 23' 11"),

(43) 0.02 acre of PFO wetlands which are classified as exceptional value (40° 33' 30", -78° 23' 10"),

(44) 0.01 acre of PEM wetlands which are classified as exceptional value (40° 33' 35", -78° 23' 45"),

(45) 0.16 acre of PFO wetlands which are classified as exceptional value (40° 33' 40", -78° 24' 02"),

(46) 0.16 acre of PSS wetlands which are classified as exceptional value (40° 33' 47", -78° 24' 12"),

(47) 0.04 acre of PEM wetlands (40° 28' 57", -78° 23' 20"),

(48) 0.01 acre of PEM wetlands (40° 32' 29", -78° 23' 46"),

(49) 0.01 acre of PEM wetlands (40° 32' 30", -78° 23' 48"),

(50) 0.01 acre of PEM wetlands (40° 32' 00", -78° 26' 45"), and to construct and maintain

(51) 75 linear feet of stream bank protection along an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 59", -78° 24' 10"),

(52) 20 linear feet of stream bank protection along an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 35", -78° 23' 32"),

(53) 34 linear feet of stream bank protection along an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 34", -78° 23' 32"),

(54) 30 linear feet of stream bank protection along an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 33", -78° 23' 29"),

(55) 25 linear feet of stream bank protection along an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 33", -78° 23' 28"),

(56) 110 linear feet of stream bank protection along an Unnamed Tributary to the Little Juniata River (WWF, MF) (40° 32' 37", -78° 23' 42"),

(57) 75 linear feet of stream bank protection along Homer Gap Run (WWF, MF) (40° 33' 28", -78° 22' 57"),

(58) 120 linear feet of stream bank protection along an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 30", -78° 23' 04"),

(59) 24 linear feet of stream bank protection along an Homer Gap Run (WWF, MF) (40° 33' 30", -78° 23' 06"),

(60) 50 linear feet of stream bank protection along Homer Gap Run (WWF, MF) (40° 33' 30", -78° 23' 20"),

(61) 50 linear feet of stream bank protection along Homer Gap Run (WWF, MF) (40° 33' 30", -78° 23' 21"),

(62) 110 linear feet of stream bank protection along Homer Gap Run (WWF, MF) (40° 33' 45", -78° 24' 09"),

(63) 25 linear feet of stream bank protection along Homer Gap Run (WWF, MF) (40° 33' 46", -78° 24' 11"),

(64) 30 linear feet of stream bank protection along an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 39", -78° 22' 54"),

(65) 25 linear feet of stream bank protection along an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 40", -78° 22' 54"), and 50 linear feet of stream bank protection along Burgoon Run (TSF, MF) (40° 29' 20", -78° 26' 32").

Additional Impact resulting in major modification to the permit:

(1) 8 Linear Feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40° 33' 51", -78° 24' 21")

The project proposes to temporarily impact .67 acre of wetlands of and permanently impact .23 acre,

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3636*

**E14-555. Bellefonte Industrial Development Authority**, 236 West Lamb Street, Bellefonte, PA 16823-1502. Bellefonte IDA Flood Protection and Waterfront Redevelopment Project in Bellefonte Borough, **Centre County**, ACOE Baltimore District (Bellefonte, PA Quad-range N: 40°54'46.2"; W: -77°46'55.6").

To: 1) remove 1,130 linear feet of existing left bank wall/foundation, then construct and maintain an elevated flood plain consisting of: 2) 1,130 linear feet of concrete segmental retaining wall, 3) vegetating the banks above the stream bank wall with a riparian buffer seed mix; 4) a concrete pedestrian walkway behind the new retaining wall/vegetated stream bank; 5) a second 1,130 linear feet of concrete segmental retaining wall to the left of the pedestrian walkway, which would allow the remaining 4.5 acre portion of the project site to the west to be raised to elevations that exceed 1.5 feet above the 100-year flood level by 6) placing 30,000 cubic yards of clean fill in the left 100-year floodplain, 7) a temporary cofferdam measuring a maximum of 15 feet from front face of wall by the length of project site of 1,130 feet to facilitate the instream construction in a relatively dry condition, all of which is located on the left side Spring Creek between Lamb Street and High Street in order to flood proof economic redevelopment/revitalization area. This project proposes to temporarily impact 9,040 square feet of Spring Creek and permanently impact 11,865 square feet of Spring Creek, which is classified as a High Quality Cold Water—Class "A" Wild Trout Fishery.

**E41-654. Frederick B. Welker Funeral Home**, 125 N. Main Street, Jersey Shore, PA 17740-1409. Welker Funeral Home in Jersey Shore Borough, **Lycoming**



**County**, ACOE Baltimore District (Jersey Shore, PA Quadrangle Lat: 41° 12' 12"; Long: -77° 15' 14.1").

To modify, construct and maintain an existing structure in Jersey Shore Borough—Lycoming County, which is located within the floodway/floodplain of the West Branch of the Susquehanna River. The scope of the repairs is to construct an open wall carport/pavilion. A total of approximately 18 square feet (two—3 ft. x 3 ft. columns) will be constructed.

The total estimated stream impacts for the project are approximately 18 ft<sup>2</sup> of permanent impacts and will not have any effect on the floodway. The proposed modifications will not permanently impact wetlands, cultural or archaeological resources, national/state/local parks, forests recreational areas, landmarks wildlife refuge or historical sites. West Branch Susquehanna River is classified with a designated use of Warm Water Fishery (WWF).

**E41-656. Pennsylvania Department of Transportation, Engineering District 3-0**, PO Box 218 Montoursville, PA 17754-0218. S.R. 2002 Section 010, White Deer Hole Creek Bridge Replacement Washington Township, **Lycoming County**, ACOE Baltimore District (Williamsport South East, PA Quadrangle N: 41°07' 08"; W: -77°04' 01").

PA DOT Engineering District 3-0 proposes to replace a single span Steel I-beam Bridge with a single span pre-stressed concrete bulb T-beam bridge. The existing bridge has a span of 33 Ft., a skew of 67 degrees, an underclearance of 7.25 Ft., a low chord of 657.23 Ft. and a hydraulic opening of 239 Ft<sup>2</sup>. The proposed bridge has a span of 43 Ft., a skew of 35 degrees, an underclearance of 6.55 Ft., a low chord of 657.11 Ft. and a hydraulic opening of 282 Ft<sup>2</sup>. The proposed structure will be located approximately 80 Ft. downstream of the existing structure. The project will not impact any jurisdictional wetlands. The stream banks will be planted in the area of removal from the existing structure to provide shading. A mudsill will be constructed on the right bank in the area of abutment removal from the existing structure. The White Deer Hole Creek is classified as a High Quality Cold Water Fishery by Title 25, Chapter 93 Water Quality Standards.

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E02-1696. Redevelopment Authority of Allegheny County**, One Chatham Center, Suite 900, 112 Washington Place, Pittsburgh, PA 15219; Coraopolis Borough, Moon Township and Robinson Township, **Allegheny County**; ACOE Pittsburgh District.

The applicant proposes to place and maintain approximately 7,567 cubic yards of fill within approximately 2.9 acres of the floodplain along Montour Run (TSF), and to construction and maintain two (2) stormwater outfall structures along 40' of Montour Run, with an additional 80' of temporary impact along this watercourse, for the purpose of creating an outdoor, multipurpose sports and athletic complex, on a 78 acre brownfield site. This initial phase of development will include the construction of two (2) synthetic sports fields with associated grass practice areas, asphalt driveway and parking areas, site utilities, and a children's playground on approximately 26 acres of the site. Future phases of development on the remaining 52 acres may include additional natural or synthetic turf sports fields, parking areas, improvements to the existing rail bridge to accommodate vehicles and pedestrians,

extension of the access driveway across the existing rail bridge, new outfalls along Montour Run, and potentially a new bridge across Montour Run to return vehicles to the site entrance. These future activities are not included in the current application. The project is located along Route 51, approximately 3/4 mile west of the interchange with Interstate 79 (USGS Quadrangle: Ambridge, PA; Latitude: 40° 30' 27.94"; Longitude: -80° 8' 48.62"), in Moon and Robinson Townships and Coraopolis Borough, Allegheny County.

**E63-655. Redevelopment Authority of the County of Washington**, 100 West Beau Street, Suite 603, Washington, PA 15301; Peters and North Strabane Townships, **Washington County**; ACOE Pittsburgh District

The applicant proposes to do the following:

1. Dredge an approximately 9.9 acre area of Canonsburg Lake (HQ-WWF);
2. Construct a weir and sediment forebay in an approximately 6.2 acre area of the lake, which will also impact a de minimus amount of wetland (0.04 acre);
3. Construct and maintain an access road along the sediment forebay, within the lake, which will also impact approximately 120 linear feet of an unnamed tributary (UNT) to Little Chartiers Creek (a.k.a. UNT-3) (HQ-WWF).

During the dredging and sediment forebay construction, approximately 70,000 cubic yards of accumulated sediment will be removed from the lake, via a portable hydraulic dredge or a barge mounted excavator. This project is the initial phase of the Canonsburg Lake Aquatic Ecosystem Restoration Project, which will ultimately affect approximately 37.5 acres of the lake, for the purpose of restoring recreation and deep water aquatic habitat in portions of the lake. The project is located near where McDowell Lane crosses Canonsburg Lake (USGS Quadrangle: Canonsburg, PA and Bridgeville, PA; Latitude: 40° 16' 3.67"; Longitude: -80° 7' 55.03"), in North Strabane and Peters Townships, Washington County.

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335*

**E42-08-010: NFG Midstream Clermont, LLC**, 1100 State Street, Erie, PA 16501-1912, Norwich Township, **McKean County**, ACOE Baltimore District.

To construct, operate and maintain the Clermont to Rich Valley Pipeline, which consists of two 16-inch water lines, one 16-inch natural gas pipeline, and one 8-inch natural gas pipeline within the same right-of-way, with the following impacts:

1. 108.0 linear feet of Elk Fork (EV, CWF) and 7,474 square feet of temporary impacts to Exceptional Value (EV) Palustrine Emergent (PEM) Wetlands via open cut trenching and a temporary road crossing (Wildwood Fire Tower, PA Quadrangle, Latitude: N41°37'21.33", Longitude: W78°25'23.39");
2. 101.0 linear feet of a UNT to Elk Fork (EV, CWF) via open cut trenching and a temporary road crossing (Wildwood Fire Tower, PA Quadrangle, Latitude: N41°37'10.76", Longitude: W78°24'58.02"); and
3. 119.0 linear feet of a UNT to Elk Fork (EV, CWF) via open cut trenching and a temporary road crossing (Wildwood Fire Tower, PA Quadrangle, Latitude: N41°37'09.85", Longitude: W78°24'57.19").

The project will result in 328.0 linear feet of temporary stream impacts, and 7,474 square feet (0.17 acre) of temporary impacts to Exceptional Value (EV) Palustrine



Emergent (PEM) wetlands all for the purpose of installing two natural gas pipelines, two water lines, and associated access roadways for Marcellus shale development.

*District Oil & Gas Operations: Eastern Oil & Gas District, 208 West Third Street, Suite 101, Williamsport, PA 17701*

**E5829-081: Springville Township**, PVR NEPA Gas Gathering, LLC; 101 West Third Street, Williamsport, PA 17701; Springville Township, **Susquehanna County**; ACOE Baltimore District.

To construct, operate, and maintain:

1) an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 2,603 square feet (0.06 acre) of a palustrine emergent wetland (PEM) (Springville, PA Quadrangle, N 41° 41' 36", W -75° 56' 18"),

2) an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 5,151 square feet (0.12 acre) of a palustrine emergent wetland (PEM) (Springville, PA Quadrangle, N 41° 41' 37", W -75° 56' 16"),

3) an 8 inch diameter natural gas pipeline and temporary timber mat crossing impacting 13,650 square feet (0.31 acre) of a palustrine emergent wetland (PEM) (Springville, PA Quadrangle, N 41° 41' 40", W -75° 56' 06"),

4) an 8 inch diameter natural gas pipeline and temporary timber bridge crossing impacting 62 lineal feet of unnamed tributary to White Creek (CWF, MF) (Springville, PA Quadrangle, N 41° 41' 43", W -75° 55' 53").

The Kupscznk D. Well Connect Pipeline consists of approximately 3,670 feet (0.70 mile) of 8" steel natural gas gathering line located in Springville Township, Susquehanna County. The project will result in 62 lineal feet of temporary stream impacts and 21,404 square feet (0.49 acre) of temporary wetland impacts all for the purpose of development and conveyance of Marcellus Shale natural gas.

#### ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460*

**D02-016EA. Neill Barker**, 502 Woodland Road, Sewickley, PA 15143. Edgeworth Borough, **Allegheny County**, USACOE Pittsburgh District.

Project proposes to remove the Woodland Dam for the purpose of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The dam is located across Little Sewickley Creek (HQ-TSF) (Ambridge, PA Quadrangle, Latitude: 40.5590; Longitude: -80.1907).

#### DAM SAFETY

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460*

**D58-172. Elk Mountain Lake Dam**, Gregg Confer, Elk Mountain Ski Resort, 344 Elk Mountain Road, Union Dale, PA 18470. To modify, operate, and maintain Elk Mountain Lake Dam across a tributary to the East Branch of the Tunkhannock Creek (CWF), impacting 0.043 acre of wetlands (PEM) with no proposed impacts to the stream channel, for the purpose of constructing a dam on their own property to divide up the existing impoundment so that adjacent owner's impoundment will not be lowered during snowmaking operations. (Clifford, PA Quadrangle Latitude: 41°43'35", Longitude: -75°33'14") in Herrick Township, **Susquehanna County**.

#### OIL AND GAS MANAGEMENT

*Southwest Region: Oil and Gas Management Program Manager 400 Waterfront Drive, Pittsburgh PA, 15222*

**E32-07-007: CNX Gathering, LLC**—280 Indian Spring Road, Suite 333 Indiana, PA 15701

Project Location—Center Township, **Indiana County**, ACOE Pittsburgh District. CNX Gathering, LLC is proposing to construct a centralized Impoundment known as the Suburban Indiana Centralized Impoundment (to support its natural gas drilling operations in the area. The project has a total disturbed area of 32.4 acres, which includes one (1) 8,856-foot-long permanent access road. The project is located within the Indiana USGS 7 1/2 Minute Quadrangle Map. The project will include the installation of three (3) 24" RCP Culverts on Tributary 44805 to Cherry Run and the installation of an 7' x 15' box culvert on Tributary 44804 to Cherry Run. Floodway impacts to an unnamed tributary to Trib 44084 to Cherry Run will also occur as a result of the creation of this permanent access road. The project will also impact two (2) PEM wetlands with the installation of the box culvert on Tributary 44084 to Cherry Run and the placement of fill for the access within another PEM wetland.

The project is a Joint Permit Application due to the proposed project not meeting the terms and conditions of the General Permit 07 (Minor Road Crossings). The project will result in two (2) PEM Wetland crossings resulting in approximately 0.015 ac of permanent impact, three (2) streams resulting in 174 linear feet of permanent impact and an additional 0.28 ac of permanent floodway impact. The project will also result in 0.34 ac of temporary floodway impact.

The table describes each crossing that will result from the construction of the Suburban Indiana Centralized Impoundment:

Wetland Crossings	Latitude/Longitude	Area of Impact	
Palustrine Emergent (PEM) Wetland Crossing (Non-EV)	40.540575N, -79.196483W	Temporary:	N/A
		Permanent:	566 ft <sup>2</sup> (0.013 ac)
Palustrine Emergent (PEM) Wetland Crossing (Non-EV)	40.5416361N, -79.19271W	Temporary:	N/A
		Permanent:	105 ft <sup>2</sup> (0.002 ac)

<i>Stream Crossings</i>	<i>Latitude/Longitude</i>	<i>Area of Impact</i>	
Perennial Stream Crossing Trib 44085 to Cherry Run (CWF)	40.5390638N, -79.199283	Temporary:	N/A
		Permanent:	91 ln. ft. (0.008 ac)
Associated Floodway Impacts		Temporary:	0.026 ac
		Permanent:	0.109 ac
Intermittent Stream Crossing UNT 2 to UNT 2 to Trib 44084 to Cherry Run	40.540575N, -79.196483W	Temporary:	N/A
		Permanent:	N/A
Associated Floodway Impacts		Temporary:	0.047 ac
		Permanent:	0.016 ac
Perennial Stream Crossing Trib 44084 to Cherry Run (CWF)	40.5416361N, -79.19271W	Temporary:	N/A
		Permanent:	83 ln. ft. (0.027 ac)
Associated Floodway Impacts		Temporary:	0.05 ac
		Permanent:	0.125 ac

---

## ACTIONS

---

### THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law). The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should contact a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**I. NPDES Renewal Permit Actions**

*Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0063754 (Industrial Waste)	Huntsville Water Purification Plant 56 Reservoir Road Dallas Twp., PA 18612	Luzerne County Dallas Township	Huntsville Reservoir (05B)	Y

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0098817 (Sewage)	Hickory Acres STP 669 Nelson Road F Farmington, PA 15437	Fayette County Wharton Township	Unnamed Tributary to Meadow Run (19-E)	Y
PA0093556 (Sewage)	Bethel Ct Plan STP Township Road 571 Lemont Furnace, PA 15456	Fayette County North Union Township	Unnamed Tributary to Redstone Creek (19-C)	Y
PA0024082 (Sewage)	Avonmore Borough STP First Street Ext Avonmore, PA 15618	Westmoreland County Avonmore Borough	Kiskiminetas River (18-B)	N
PA0095150 (Sewage)	Pine Top Estates MHP II Sea Breeze Road Finleyville, PA 15332	Allegheny County Forward Township	Monongahela River (19-C)	Y

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0263460 (Sewage)	Joseph Landis SFTF 414 Freeport Road Saxonburg, PA 16056	Butler County Clinton Township	Unnamed Tributary to the Sarver Run (18-F)	Y
PA0103101 (Sewage)	Wesley Woods Christian Education Center 1001 Fiddlers Green Road Grand Valley, PA 16420	Warren County Eldred Township	Unnamed Tributary to Caldwell Creek (16-E)	Y

**II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions**

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970*

**NPDES Permit No. PA0031208**, Sewage, **Garnet Valley School District**, 80 Station Road, Glen Mills, PA 19342-1751.

This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Garnet Valley HS STP to Green Creek in Watershed 3-G.

**NPDES Permit No. PA0013323**, Industrial, **The Boeing Company**, PO Box 16858, MS P29-14, Philadelphia, PA 19142-0858.

This proposed facility is located in Ridley Township, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge industrial wastewater and stormwater from a facility known as Boeing Helicopters Ridley Facility to Delaware River, Crum Creek and Darby Creek in Watershed 3-G.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**NPDES Permit No. PA0023469**, Sewage, SIC Code 4952, **Central Wayne Regional Authority**, 574 Bucks Cove Road, Honesdale, PA 18431.

This existing facility is located in Honesdale Borough, **Wayne County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated sewage.

**NPDES Permit No. PAS202210**, Storm Water, SIC Code 3399, **Silberline Manufacturing Company, Inc.**, P. O. Box B, Tamaqua, PA 18252.

This existing facility (Silberline Manufacturing Company, Inc.—Tidewood) is located in Rush Township, **Schuylkill County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for an existing discharge of Storm Water.

*Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**PA0272744**, Industrial Waste, SIC Code 4941, **Guys Mills Mutual Water Association**, PO Box 112, Guys Mills, PA 16327. Facility Name: Guys Mills Water Association WTP. This proposed facility is located in Randolph Township, **Crawford County**.

Description of Proposed Activity: A new NPDES permit for a new discharge of industrial wastewater associated with the production of drinking water.

---

### III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law

---

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900*

**WQM Permit No. 4696413**, Sewage, Amendment, **Borough of Lansdale**, 1 Vine Street, Lansdale, PA 19446.

This proposed facility is located in Lansdale Borough, **Montgomery County**.

Description of Action/Activity: A capacity upgrade at the Borough of Lansdale WWTP (high flow management plan)

**WQM Permit No. 4613407**, Sewage, **West Norriton Township**, 1630 W. Marshall Street, Jeffersonville, PA 19403.

This proposed facility is located in West Norriton Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of the Rittenhouse Pump Station. This pump station will replace the existing station which is aging and having problems with peak flow.

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570-826-2511.*

**WQM Permit No. 6413402**, Sewage, SIC Code 4952, **Central Wayne Regional Authority**, 574 Buck Cove Road, Honesdale, PA 18431.

This proposed work is located at the existing treatment plant in Honesdale Borough, **Wayne County**.

Description of Proposed Action/Activity: The project consists of the installation of an automated sluice gate in an existing manhole at the Authority's treatment plant in an effort to regulate wet-weather flows.

*Southwest Regional Office: Regional Clean Water Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Phone: 412.442.4000.*

**WQM Permit No. 0214401**, SIC Code 9900, **Pittsburgh Water Sewer Authority**, 1200 Penn Avenue, Pittsburgh, PA 15222.

This proposed facility is located in Pittsburgh City, **Allegheny County**.

Description of Proposed Action/Activity: Construction of sanitary sewer and manholes.

**WQM Permit No. 5689412**, Sewage, SIC Code 4952, **the Municipal Authority of the Borough of Berlin**, 700 North Street, Berlin, PA 15530-1125.

This existing facility is located in Berlin Borough, **Somerset County**.

Description of Proposed Action/Activity: Installation of a new aerobic digester blower.

**WQM Permit No. 5613200**, SIC Code 9900, **Jeffrey L Hillegass**, 207 Dividing Ridge Road, Fairhope, PA 15538.

This proposed facility is located in Allegheny Township, **Somerset County**.

Description of Proposed Action/Activity: Issuance of a WQM Permit that authorizes construction of a two cell manure storage facility to serve the Dividing Ridge Farm.

**WQM Permit No. 0314400**, Sewage, SIC Code 4952, **Leechburg Borough**, 260 Market Street, Leechburg, PA 15656.

This proposed facility is located in Leechburg Borough, **Armstrong County**.

Description of Proposed Action/Activity: Construction of 8-inch sanitary sewers to separate existing combined sewers in Leechburg Borough.

The Pennsylvania Infrastructure Investment Authority (PENNVEST) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the Water Quality Management (Part II) Permit has not identified any significant environmental impacts resulting from this proposal.

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**WQM Permit No. 4308401**, Sewage, Amendment No. 2, **State Correctional Institution at Mercer**, 801 Butler Pike, Mercer, PA 16137.

This existing facility is located in Findley Township, **Mercer County**.

Description of Proposed Action/Activity: Amendment for addition of a volute dewatering press at the WWTP.

**WQM Permit No. 2514401**, Sewage, **Washington Township Erie County**, 11800 Edinboro Road, Edinboro, PA 16412.

This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Action/Activity: Extension of public sewer line along State Route 99.



**WQM Permit No. WQG01251403**, Sewage, **Eugene Strohmeier**, 5906 Footemill Road, Erie, PA 16509.

This proposed facility is located in Millcreek Township, **Erie County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant.

#### **VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**

*Southeast Region: Water Management Program Manager, 2 East Main Street, Norristown, PA 19401*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 0909002R	Trueblood Construction Company 1009 Penlly Pike Spring House, PA 19477	Bucks	Buckingham Township	Paunacussing Creek HQ—CWF
PAI01 1505043R	The Hankin Group 707 Eagleview Boulevard P.O. Box 562 Exton, PA 19341	Chester	Uwchlan Township	Shamona Creek HQ—TSF—MF

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024813007	Millstone Development, LLC P.O. Box 2022 East Millstone, NJ 08875	Northampton County	Plainfield Township	Little Bushkill Creek (HQ-CWF, MF)

*Northcentral Region: Waterways & Wetlands Program Manager, 208 West Third Street, Williamsport, PA 17701*

*Lycoming County Conservation District: 542 County Farm Road Suite 202, Montoursville, PA 17754, (570) 433-3003*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044113005	Wade L Shaner 155 Keller Hollow Rd Unityville PA 17774	Lycoming	Jordan Township	UNT to Little Muncy Creek EV, MF

*Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI052613003	NWL Corporation 1001 Lafayette Drive Farmington, PA 15437	Fayette	Wharton Township	Deadman Run (HQ-CWF)

#### **VII. Approvals to Use NPDES and/or Other General Permits**

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

#### **List of NPDES and/or Other General Permit Types**

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)

PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

*General Permit Type—PAG-02**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Doylestown Township Bucks County	PAG0200 0913063	RJA Investment Fund V, L.P. 249 Glenmoor Road Gladwyne, Pa 19035	Unnamed Tributary to Pine Run TSF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bristol Township Bucks County	PAG0200 0914023	Wawa, Inc. 260 W. Baltimore Pike Wawa, Pa 19063	Mill Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warwick Township Bucks County	PAG0200 0913012	Buckingham Retail Properties, LLC 5811 Ridge View Drive Doylestown, PA 18902	Unnamed Tributary to Neshaminy Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warwick Township Bucks County	PAG0200 0905003R	Mignatti Companies 2310 Terwood Drive Huntingdon Valley, PA 19006	Little Neshaminy Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Whiteland Township Chester County	PAG0200 1513049	Brandywine Coach Works 1209 Baltimore Pike Chadds Ford, PA 19317	Valley Creek CWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Whiteland Township Chester County	PAG0200 1514001	Baker Properties, LP 1090 King Georges Post Road Suite 609 Edison, NJ 08837	Valley Creek CWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Caln Township Chester County	PAG0200 1509008-R	Caln Township 253 Municipal Drive Thorndale, PA 19372	Valley Creek Run CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East & West Whiteland Township's Chester County	PAG0200 1514003	Whiteland Village, LP 440 Creamery Way Suite 150 Exton, PA 19341	West Branch Valley Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Tredyffrin Township Chester County and Upper Merion Township Montgomery County	PAG0200 1514004	Aqua Pennsylvania, Inc. 762 Lancaster Avenue Bryn Mawr, PA 19010	Unnamed Tributary to Trout Creek WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Chester Borough Chester County	PAG0200 1514002	West Chester University 201 Carter Drive, Suite 300 West Chester, PA 19383	Plum Run WWF—MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Benton Township Lackawanna County	PAG02003513024	PA-DCNR, Bureau of State Parks 400 Market Street 8th Floor Harrisburg, PA 17101	South Branch Tunkhannock Creek (TSF, MF)	Lackawanna County Conservation District 570-392-3086

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water/Use*

*Contact Office &  
Phone No.*

Old Forge Borough Lackawanna County	PAG02003509015(R)	John Giambra 144 Crystal Creek West Pittston, PA 18643	Lackawanna River (CWF, MF)	Lackawanna County Conservation District 570-392-3086
South Abington Township Lackawanna County	PAG02003513023	Elliot Liebowitz/LCL Equities 199 Baldwin Road Parsippany, NJ 07054-2043	Unnamed Tributary to Ackerly Creek (CWF, MF)	Lackawanna County Conservation District 570-392-3086
City of Allentown Lehigh County	PAG02003913005(1)	Keith Flickinger Allentown Classic Motor Cars, Inc. 808 N. Fenwick Street Allentown, PA 18109	Lehigh River (CWF, MF)	Lehigh County Conservation District 610-391-9583
Bushkill Township Northampton County	PAG02004811009(1)	Orwig Property Management Raymond Orwig 220 East Lawn Road, Suite 12 Nazareth, PA 18064	Schoeneck Creek (WWF, MF)	Northampton County Conservation District 610-746-1971

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802*

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water/Use*

*Contact Office &  
Phone No.*

Camp Hill Borough Cumberland County	PAG02002114013	Camp Hill Borough 2145 Walnut Street Camp Hill, PA 17011	Conodoguinet Creek (CWF)	Cumberland Co Conservation Dist. 310 Allen Road Ste 301 Carlisle, PA 17013 717.240.7812
Conoy Twp Lancaster County	PAG02003610020R	DDM Development Group Inc. PO Box 217 Curwensville, PA 16833	Bainbridge Creek (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Mt. Joy Borough Lancaster County	PAG02003610025R	George Desmond 1085 Manheim Pike Lancaster, PA 17601	Donogal Creek (CWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Penn Township Lancaster County	PAG02003610029R	Centerville Associates 987 Chapel Forge Road Lancaster, PA 17601	Chickies Creek (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Mount Joy Borough Lancaster County	PAG02003610039R	The Florin Hill Partnership 114 Foxshire Drive Lancaster, PA 17601	Donegal Creek (CWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Rapho Township Lancaster County	PAG02003614011	Ridgewood Manor Mobile Home Park 98 Breneman Rd Manheim PA 17545	Little Chickies Creek/TSF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Warwick Township Lancaster County	PAG02003614028	Lititz Reserve LLC 474 Mt. Sidney Road Lancaster, PA 17602	Lititz Run (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Ephrata Township Lancaster County	PAG02003614020	Friedrich N. Smith 534 Ridge Avenue Ephrata, PA 17522	Conestoga River and Cocalico Creek (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Lancaster City Lancaster County	PAG02003614023	EDC Financial Corporation 100 South Queen Street Box 1558 Lancaster, PA 17608	UNT Conestoga River (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Manor Township Lancaster County	PAG02003614028	Brunswick Farms Apartments Association 941 Wheatland Avenue STE 204 Lancaster, PA 17603	UNT West Branch Little Conestoga Creek (TSF, MF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
East Petersburg Borough Lancaster County	PAG02003614028	Troopco LLC 1091 Hunters Path Lancaster, PA 17601	UNT Little Conestoga Creek (TSF, MF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
East Hempfield Township Lancaster County	PAG02003614031	E.G. Stoltzfus Land LLC 474 Mt. Sidney Road Lancaster, PA 17602	Swarr Run (TSF, MF) UNT Chicques Creek (WWF/TSF, MF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Strasburg Township	PAG02003614033	David Breckbill 331 Walnut Run Road Willow Street, PA 17584	Little Beaver Creek (TSF, MF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Manheim Township Lancaster County	PAG02003614034	LMS Commercial Real Estate	UNT Conestoga River (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Paradise Township Lancaster County	PAG02003614034	Melvin G. Fisher 249 South Belmont Road Paradise, PA 17562	UNT Londonland Run (CWF, MF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
McSherrystown Borough Adams County	PAG02000110008R	Thomas Land Investment, LP 180 Airport Road Hanover, PA 17331	UNT to Plum Creek (WWF) Goat Lake (NL)	Adams Co. Conservation District 670 Old Harrisburg Road Ste. 201 Gettysburg, PA 17325 (717) 334-0636



*Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water/Use**Contact Office &  
Phone No.*

East Hanover Township Lebanon County	PAG02003814005	Ella LaMarre 74 Harrison School Road Grantville, PA 17028	UNT Indiantown Run (WWF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Bethel Township Lebanon County	PAG02003814012	Glen Litzenberger 201 Snow Drive Fredericksburg, PA 17026	Beach Run (WWF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
South Londonderry Township Lebanon County	PAG02003810007R	Mark X. DiSanto 5351 Jaycee Avenue Harrisburg, PA 17112	UNT Spring Creek (WWF)	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Germany Township Adams County	PAG02000112005R	Bon Ton Builders, Inc. 1060 Baltimore Street Hanover, PA 17331	Alloway Creek (WWF)	Adams Co. Conservation District 670 Old Harrisburg Road Ste. 201 Gettysburg, PA 17325 (717) 334-0636
City of Harrisburg Dauphin County	PAG02002214011	PA Dept. of General Services 18th & Herr Streets Harrisburg, PA 17125	Paxton Creek (WWF)	Dauphin Co. Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
City of Harrisburg Dauphin County	PAG02002216016R	US General Services Administration PO Box 1064 Harrisburg, PA 17108	Paxton Creek (WWF)	Dauphin Co. Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Londonderry and Derry Townships Dauphin County	PAG02002214020	Londonderry Township 583 South Geyers Church Road Middletown, PA 17057	Swatara Creek (WWF-MF)	Dauphin Co. Conservation District 1451 Peters Mountain Road Dauphin, PA 17018

*Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

*Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water/Use**Contact Office &  
Phone No.*

Walker Township Centre County	PAG02001412007R	DBW Partnership 1042 E Springfield Dr Bellefonte PA 16823	Nittany Creek CWF	Centre County Conservation District 414 Holmes Avenue, Suite 4 Bellefonte, PA 16823 (814) 355-6817
Danville Borough Montour County	PAG02004714001	Geisinger System Srvs 100 N Academy Ave Danville PA 17822	Mahoning Creek WWF, MF	Montour County Conservation District 112 Woodbine Ln Ste 2 Danville PA 17821 Phone: (570) 271-1140

*Southwest Region: Regional Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Robinson Township Allegheny County	PAG2000204006R	Maronda Homes 1383 State Route 30 Clinton, PA 15026	UNT to Campbells Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Borough of Cheswick Allegheny County	PAG2000204083R	Independence Excavating, Inc. 3826 Saxonburg Blvd Cheswick, PA 15024	Deer Creek (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Collier Township Allegheny County	PAG2000205087R	Woodville Associates 5020 Thoms Run Road Pittsburgh, PA 15071	UNT to Chartiers Creek (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Ohio Township Allegheny County	PAG2000206046-1R	Cobblestone Manor Associates, LP 772 Pine Valley Drive Pittsburgh, PA 15239	Bear Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Indiana Township Allegheny County	PAG2000207018R	Capelier, LP 3560 Harts Run Road Pittsburgh, PA 15238	Little Pine Creek (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Robinson Township Allegheny County	PAG2000208059R	Sampson-Morris Group 2500 Eldo Road Suite 1 Monroeville, PA 15146	Campbells Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Marshall Township Allegheny County	PAG2000209010R	Islamic Center of North Pittsburgh 8512 Peters Road Cranberry Township, PA 16066	Brush Creek (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Ross Township Allegheny County	PAG02000210003R	Minnock Land & Development Co. 7202 McKnight Road Pittsburgh, PA 15237	UNT to Pine Creek (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Kennedy Township Allegheny County	PAG02000211085R	Phillips Landfill & Slag, Inc. 88 Beaver Grade Road McKees Rocks, PA 15136	UNT to Ohio River (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh Allegheny County	PAG02000212007R	Allegheny County Sanitary Authority 3300 Preble Ave Pittsburgh, PA 15233	Chartiers Creek (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Aspinwall Borough Allegheny County	PAG02000213061-1	Aspinwall Riverfront Park, Inc. 285 River Avenue Pittsburgh, PA 15215	Allegheny River (WWF-N)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
Moon Township Allegheny County	PAG02000213126	Wal-Mart Stores East, LP 2001 SE 10th Street Mail Stop 5570 Bentonville, AR 72716-5570	UNT to Flaugherty Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
City of Pittsburgh Allegheny County	PAG02000213133	Giant Eagle, Inc. 261 Kappa Drive Pittsburgh, PA 15238	UNT to Chartiers Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Franklin Park Borough Allegheny County	PAG02000214002	Orchard Hill Church 2551 Brandt School Rd Wexford, PA 15090	UNT to Fish Run (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Sewickley Heights Borough Allegheny County	PAG02000214011	Lucas Piatt 95 West Beau Street Washington, PA 15301	UNT to Kilbuck Run (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Robinson Township Allegheny County	PAG02000214013	Giant Eagle, Inc. 261 Kappa Drive Pittsburgh, PA 15238	Campbells Run (WWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Marshall Township Allegheny County	PAG02000214026 previously PAR10A563	Showcase Properties, Inc. 1383 State Route 30 Clinton, PA 15026	UNT to Montour Run (TSF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Franklin Park Borough Allegheny County	PAG02000214033	Blaymore, IV, LP 1603 Carmody Court Sewickley, PA 15143	UNT to Fish Run (CWF)	Allegheny County CD 33 Terminal Way Suite 325B Pittsburgh, PA 15219 (412) 241-7645
Center Township Beaver County	PAG02000414004	PennTex Ventures, LLC. 333 Harvey Run Road Suite 2 Greensburg, PA 15601	Shafers Run (WWF)	Beaver County CD 156 Cowpath Rd Aliquippa, PA 15001 (724) 378-1701
Cambria Township Cambria County	PAG02001113021	CoPart of Connecticut 14185 Dallas parkway Suite 300 Dallas, TX 75254	UNT to South Branch of Blacklick Creek (CWF)	Cambria County CD 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
City of Johnstown Cambria County	PAG02001113022	Greater Johnstown Community YMCA 100 Haynes Street Johnstown, PA 15901	Stonycreek River (CWF)	Cambria County CD 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Richland Township Cambria County	PAG02001114005	Department of Military and Veterans Affairs Attn: Mark A. Austin Building O-13 Fort Indiantown Gap Annville, PA 17003	Falls Run (CWF)	Cambria County CD 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120
Gallitzin Borough, Gallitzin Township, Tunnelhill Borough Cambria County	PAG02001114006	Gallitzin Borough Sewer & Disposal Authority 411 Convent Street Degol Plaza, Suite 10 Gallitzin, PA 16641	UNT to Bradley Run (CWF) and UNT to Sugar Run (CWF)	Cambria County CD 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472-2120

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
Berlin Borough Somerset County	PAG02005610002R	Tom Croner 3872 Huckleberry Highway Berlin, PA 15530	Stonycreek River (Headwaters)	Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
Somerset Township Somerset County	PAG02005614003	Plum Contracting, Inc. 654 Croft Road Greensburg, PA 15601	UNT to East Branch of Coxes Creek (TSF)	Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15501 (814) 445-4652
City of Washington Washington County	PAG02006313007-1	City of Washington 55 West Maiden Street Washington, PA 15301	Catfish Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Chartiers Township Washington County	PAG02006314006	Hawthorne Arden, LP 102 West Pike Street Suite 200 Houston, PA 15342	UNT to Chartiers Creek (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098
Carroll Township Washington County	PAG02006314014	PA American Water Company 300 Galley Road McMurray, PA 15317	UNT to Pigeon Creek (WWF) and UNT to Monongahela River (WWF)	Washington County CD 2800 North Main Street Suite 105 Washington, PA 15301 (724) 705-7098

*Northwest Regional Office—Waterways and Wetlands, 230 Chestnut Street, Meadville PA 16335*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Cranberry Township Butler County and Marshall Township Allegheny County	PAG02001010005R	Regional Industrial Development Corporation of Southwestern PA 210 Sixth Avenue, Ste 3620 Pittsburgh PA 15222	Brush Creek WWF	Butler County Conservation District 724-284-5270
City of Erie Erie County	PAG02002511027R(1)	Erie Insurance Group 100 Erie Insurance Place Erie PA 16530-1104	Millcreek to Presque Isle Bay WWF	Erie County Conservation District 814-825-6403
Fairview Township Erie County	PAG02002514002	J. Thomas Tree Service PO Box 9367 Erie PA 16505	Unt Lake Erie CWF	Erie County Conservation District 814-825-6403

*General Permit Type—PAG-3*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Lancaster County Earl Township East Earl Township	PAG033504	York Building Products Co., Inc. 950 Smile Way York, PA 17404 <hr/> York Building Products New Holland Plant 828 East Earl Road New Holland, PA 17557	Mill Creek / 7-J	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707



*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water / Use*

*Contact Office &  
Phone No.*

Lancaster County  
Manor Township

PAR503501

Lancaster County Solid  
Waste Management  
Authority (LCSWMA)  
1299 Harrisburg Pike  
PO Box 4425  
Lancaster, PA 17604

Manns Run / 7-J

DEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

LCSWMA Frey Farm  
Landfill  
3049 River Road  
Conestoga, PA 17516

Perry Township  
Greene County

PAG036113

Mining Rock Excavation  
& Construction LLC  
3700 East 68th Avenue  
Commerce City, CO 80022

Dunkard Creek—  
19-G/ WWF

DEP Southwest  
Regional Office  
Clean Water Program  
400 Waterfront Drive,  
Pittsburgh, PA 15222-4745  
412.442.4000

Erie City  
Erie County

PAR218318

E.E. Austin & Son, Inc.  
1919 Reed Street, Erie,  
PA 16503-2159

Unnamed Tributary  
to Lake Erie  
15-A

DEP  
NWRO  
Clean Water Program  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942

Greenwood  
Township  
Crawford County

PAR238321

JM Manufacturing  
Company, Inc.  
d/b/a JM Eagle  
15661 Delano Road,  
Cochran, PA 16314

Unnamed Tributary  
to the Conneaut  
Outlet  
16-D

DEP  
NWRO  
Clean Water Program  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942

Franklin City  
Venango County

PAR808354

Venango County  
2nd Floor Courthouse  
Annex  
1174 Elk Street  
Franklin, PA 16323

Unnamed Tributary  
to the Haggerty  
Hollow, an Unnamed  
Tributary to the  
Allegheny River, and  
an Unnamed  
Tributary to the  
French Creek  
16-G and 16-D

DEP  
NWRO  
Clean Water Program  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942

Paint Township  
Clarion County

PAR808370

Clarion County Airport  
Authority  
395 Airport Road  
Shippensburg, PA 16254

Unnamed Tributary  
to the Deer Creek  
17-B

DEP  
NWRO  
Clean Water Program  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942

*General Permit Type—PAG-4*

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water / Use*

*Contact Office &  
Phone No.*

Millcreek Township  
Erie County

PAG041154

Eugene Strohmeyer  
5906 Footemill Road,  
Erie, PA 16509

Unnamed Tributary  
of Mill Creek  
15-A

DEP  
NWRO  
Clean Water Program  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942

*General Permit Type—PAG-8**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Site Name &  
Location**Contact Office &  
Phone No.*Bedford County /  
South Woodbury  
Township

PAG083604

South Woodbury  
Township  
125 North Road  
New Enterprise, PA 16664South Woodbury  
Township WWTP  
1401 Woodbury Pike  
Loysburg, PA 16659DEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110-8200  
717-705-4707*General Permit Type—PAG-10**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*Jessup Township  
Susquehanna  
County

PAG102310

Williams Field Services  
Company, LLC  
(Bolles Pipeline Project)  
2000 Commerce Drive  
Park Place Corporate  
Center 2  
Pittsburgh, PA 15275Roe Creek and  
Unnamed Tributary  
to East Branch  
Wyalusing  
Creek—4-DDEP Northeast  
Regional Office  
Clean Water Program  
2 Public Square,  
Wilkes-Barre, PA  
18701-1915  
570.826.2511East Lackawannock  
Township  
Mercer County

PAG108326

Williams Ohio Valley  
Midstream LLC  
Park Place Corp Center  
II—242 B  
2000 Commerce Drive  
Pittsburgh, PA  
15275-1026Dry/Intermittent  
Tributary to India  
RunDEP  
NWRO  
Clean Water Program  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942Buffalo Township  
Butler County

PAG108323

Mountain Gathering, LLC  
810 Houston Street  
Fort Worth, TX  
76102-6298Unnamed Tributary  
to McDowell RunDEP  
NWRO  
Clean Water Program  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942Clearfield Township  
Butler County

PAG108324

Mountain Gathering, LLC  
810 Houston Street  
Fort Worth, TX  
76102-6298Unnamed Tributary  
of Bonnie BrookDEP  
NWRO  
Clean Water Program  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942Donegal Township  
Butler County

PAG108325

Mountain Gathering, LLC  
810 Houston Street  
Fort Worth, TX  
76102-6298Unnamed Tributary  
of Bonnie BrookDEP  
NWRO  
Clean Water Program  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942*General Permit Type—PAG-12**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water / Use**Contact Office &  
Phone No.*Berks County  
Bethel Township

PAG123598

Lloyd S. Brubacker  
Lloyd Brubacker Farm  
561 Brown Road  
Myerstown, PA 17067UNT Crosskill  
Creek / CWFDEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707Berks County  
Bethel Township

PAG123671

Adam S. Martin Jr.  
Adam Martin Egg Ranch  
390 Midway Road  
Bethel, PA 19507UNT Little Swatara  
Creek / CWFDEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

## STATE CONSERVATION COMMISSION

### NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

#### NUTRIENT MANAGEMENT PLAN PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>AEU's</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Jeffrey Frey 13 Radcliff Road Willow Street, PA 17584	Lancaster	500	594.65	Swine	NA	Approved

### PUBLIC WATER SUPPLY PERMITS

The Department has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this document to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

### SAFE DRINKING WATER

#### **Actions Taken Under the Pennsylvania Safe Drinking Water Act**

*Central Office: Bureau Director, Safe Drinking Water,  
P. O. Box 8467, Harrisburg, PA 17105-8467*

**Permit No. [ 9996478 ],** Public Water Supply.

Applicant	<b>[Culligan Water of Akron]</b>
[Township or Borough]	[Akron, New York]
Responsible Official	[Charles Keppler, Manager]
Type of Facility	[Out of State Bottled Water System]
Effective Date	[May 9, 2014]
Description of Action	[Public Water Supply Permit to sell bottled water in Pennsylvania Rescinded. Company no longer selling bottled water in Pennsylvania. All bottled water products from Culligan Water of Akron barred for sale in Pennsylvania.]

*Southcentral Region: Safe Drinking Water Program  
Manager, 909 Elmerton Avenue, Harrisburg, PA 17110*

**Permit No. 0114502,** Public Water Supply.

Applicant	<b>PA Conference of Seventh Day Adventist</b>
Municipality	Cumberland Township
County	<b>Adams</b>

Responsible Official Andrew Berlin, Deacon  
1439 Biglerville Road  
Gettysburg, PA 17325

Type of Facility Installation of a treatment  
systems for the removal of  
arsenic, iron and manganese at  
the Gettysburg 7th Day  
Adventist Church.

Consulting Engineer P Fred. Heebrandt, P.E.  
Wm. F. Hill & Associates, Inc.  
207 Baltimore Street  
Gettysburg, PA 17325

Permit to Construct  
Issued 5/7/2014

**Permit No. 2813505**, Public Water Supply.

Applicant **Quincy Township**

Municipality Quincy Township

County **Franklin**

Responsible Official Robert Gunder, Chairman,  
Board of Supervisors  
7575 Mentzer Gap Road  
Waynesboro, PA 17268

Type of Facility New treatment facility including  
new well (Well No. 5), booster  
pump station, disinfection  
including GWR 4-log treatment  
of viruses, a 240,000 gallon  
finished water storage tank, and  
distribution system.

Consulting Engineer John M. High, P.E.  
William A. Brindle  
Associates Inc.  
336 Lincoln Way East  
Chambersburg, PA 17201

Permit to Construct  
Issued 5/6/2014

*Northcentral Region: Safe Drinking Water Program  
Manager, 208 West Third Street, Suite 101, Williamsport,  
PA 17701-6448.*

**Permit No. 1714502-MA**—Construction—Public Water  
Supply.

Applicant **Union Township Municipal  
Authority**

Township/Borough Union Township

County **Clearfield**

Responsible Official Jarome D. Heffner, Chairman  
Union Township Municipal  
Authority  
P. O. Box 98  
Rockton, PA 15856

Type of Facility Public Water Supply

Consulting Engineer Brian S. Sekula, P.E.  
The EADS Group, Inc.  
15392 Route 322  
Clarion, PA 16214

Permit Issued 5/13/14

Description of Action Recoating of the 80,000 gallon  
and 100,000 gallon water storage  
tanks.

*Southwest Region: Water Supply Management Program  
Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-  
4745*

**Permit No. 0214523**, Public Water Supply.

Applicant **Pittsburgh Water & Sewer  
Authority**  
Penn Liberty Plaza I  
1200 Penn Avenue  
Pittsburgh, PA 15222

[Borough or Township] City of Pittsburgh

County **Allegheny**

Type of Facility Water system

Consulting Engineer

Permit to Construct  
Issued May 6, 2014

**Permit No. 0214504**, Public Water Supply.

Applicant **Pennsylvania American  
Water Company**  
800 West Hersheypark Drive  
Hershey, PA 17033

[Borough or Township] Amwell Township

County **Washington**

Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
Indianola, PA 15051

Permit to Construct  
Issued May 10, 2014

**Permit No. 3014501**, Public Water Supply.

Applicant **East Dunkard Water  
Authority**  
PO Box 241  
SR 88  
Dilliner, PA 15327

[Borough or Township] Dunkard Township

County **Greene**

Type of Facility New Griffin water storage tank

Consulting Engineer Dakota Engineering  
Associates, Inc.  
Etna Technical Center  
Suite 200  
35 Wilson Street  
Pittsburgh, PA 15223

Permit to Construct  
Issued May 10, 2014

**Permit No. 3014503**, Public Water Supply.

Applicant **East Dunkard Water  
Authority**  
PO Box 241  
SR 88  
Dilliner, PA 15327

[Borough or Township] Dunkard Township

County **Greene**

Type of Facility New Abel water storage tank



Consulting Engineer Dakota Engineering Associates, Inc.  
Etna Technical Center  
Suite 200  
35 Wilson Street  
Pittsburgh, PA 15223

Permit to Construct May 10, 2014  
Issued

**Permit No. 3014504**, Public Water Supply.

Applicant **East Dunkard Water Authority**  
PO Box 241  
SR 88  
Dilliner, PA 15327

[Borough or Township] Dunkard Township

County **Greene**

Type of Facility New Donley water storage tank

Consulting Engineer Dakota Engineering Associates, Inc.  
Etna Technical Center  
Suite 200  
35 Wilson Street  
Pittsburgh, PA 15223

Permit to Construct May 10, 2014  
Issued

**Permit No. 3014505**, Public Water Supply.

Applicant **East Dunkard Water Authority**  
PO Box 241  
SR 88  
Dilliner, PA 15327

[Borough or Township] Monongahela Township

County **Greene**

Type of Facility Alicia water storage tank mixer

Consulting Engineer Dakota Engineering Associates, Inc.  
Etna Technical Center  
Suite 200  
35 Wilson Street  
Pittsburgh, PA 15223

Permit to Construct May 10, 2014  
Issued

**Permit No. 3014506**, Public Water Supply.

Applicant **East Dunkard Water Authority**  
PO Box 241  
SR 88  
Dilliner, PA 15327

[Borough or Township] Dunkard Township

County **Greene**

Type of Facility Existing Griffin water storage tank mixer

Consulting Engineer Dakota Engineering Associates, Inc.  
Etna Technical Center  
Suite 200  
35 Wilson Street  
Pittsburgh, PA 15223

Permit to Construct May 10, 2014  
Issued

**Permit No. 3014507**, Public Water Supply.

Applicant **East Dunkard Water Authority**  
PO Box 241  
SR 88  
Dilliner, PA 15327

[Borough or Township] Monongahela Township

County **Greene**

Type of Facility Sugar Grove water storage tank mixer

Consulting Engineer Dakota Engineering Associates, Inc.  
Etna Technical Center  
Suite 200  
35 Wilson Street  
Pittsburgh, PA 15223

Permit to Construct May 10, 2014  
Issued

**Permit No. 3014508**, Public Water Supply.

Applicant **East Dunkard Water Authority**  
PO Box 241  
SR 88  
Dilliner, PA 15327

[Borough or Township] Green Township

County **Greene**

Type of Facility Clark water storage tank mixer

Consulting Engineer Dakota Engineering Associates, Inc.  
Etna Technical Center  
Suite 200  
35 Wilson Street  
Pittsburgh, PA 15223

Permit to Construct May 10, 2014  
Issued

**Permit No. 3014509**, Public Water Supply.

Applicant **East Dunkard Water Authority**  
PO Box 241  
SR 88  
Dilliner, PA 15327

[Borough or Township] Dunkard Township

County **Greene**

Type of Facility Bald Hill water storage tank mixer

Consulting Engineer Dakota Engineering Associates, Inc.  
Etna Technical Center  
Suite 200  
35 Wilson Street  
Pittsburgh, PA 15223

Permit to Construct May 10, 2014  
Issued

**Permit No. 3014510**, Public Water Supply.

Applicant **East Dunkard Water Authority**  
PO Box 241  
SR 88  
Dilliner, PA 15327

[Borough or Township] Dunkard Township

County **Greene**  
 Type of Facility Bobtown water storage tank mixer  
 Consulting Engineer Dakota Engineering Associates, Inc.  
 Etna Technical Center  
 Suite 200  
 35 Wilson Street  
 Pittsburgh, PA 15223  
 Permit to Construct May 10, 2014  
 Issued

**Permit No. 1114506**, Public Water Supply.  
 Applicant **Hastings Municipal Authority**  
 207-1 Fifth Avenue  
 PO Box 559  
 Hastings, PA 16646  
 [Borough or Township] Hastings and Elder Townships  
 County **Cambria**  
 Type of Facility Rehabilitation of Mine Spring No. 1  
 Consulting Engineer Stiffler McGraw and Associates  
 1731 North Juniata Street  
 Hollidaysburg, PA 16648  
 Permit to Construct May 12, 2014  
 Issued

**Permit No. 1114509**, Public Water Supply.  
 Applicant **Hastings Municipal Authority**  
 207-1 Fifth Avenue  
 PO Box 559  
 Hastings, PA 16646  
 [Borough or Township] Hastings and Elder Townships  
 County **Cambria**  
 Type of Facility Water system improvements.  
 Consulting Engineer Stiffler McGraw and Associates  
 1731 North Juniata Street  
 Hollidaysburg, PA 16648  
 Permit to Construct May 12, 2014  
 Issued

**Permit No. 1114504**, Public Water Supply.  
 Applicant **Hastings Municipal Authority**  
 207-1 Fifth Avenue  
 PO Box 559  
 Hastings, PA 16646  
 [Borough or Township] Hastings and Elder Townships  
 County **Cambria**  
 Type of Facility Disinfection booster station, metering vault, waterlines  
 Consulting Engineer Stiffler McGraw and Associates  
 1731 North Juniata Street  
 Hollidaysburg, PA 16648  
 Permit to Construct May 12, 2014  
 Issued

**Operations Permit** issued to: **Municipal Authority of the Borough of Portage**, 606 Cambria Street, Portage, PA 15946, (PWSID #4110027) Portage Township,

**Cambria County** on May 6, 2014 for the operation of facilities approved under Construction Permit # 1114501MA.

**Permit No. 1114507MA, Minor Amendment.** Public Water Supply.

Applicant **Hastings Municipal Authority**  
 207-1 Fifth Avenue  
 PO Box 559  
 Hastings, PA 16646  
 [Borough or Township] Hastings and Elder Townships  
 County **Cambria**  
 Type of Facility Raw water transmission main and waterline installation  
 Consulting Engineer Stiffler McGraw and Associates  
 1731 North Juniata Street  
 Hollidaysburg, PA 16648  
 Permit to Construct May 12, 2014  
 Issued

**Permit No. 1114508MA, Minor Amendment.** Public Water Supply.

Applicant **Hastings Municipal Authority**  
 207-1 Fifth Avenue  
 PO Box 559  
 Hastings, PA 16646  
 [Borough or Township] Hastings Township  
 County **Cambria**  
 Type of Facility Water treatment plant process improvements.  
 Consulting Engineer Stiffler McGraw and Associates  
 1731 North Juniata Street  
 Hollidaysburg, PA 16648  
 Permit to Construct May 12, 2014  
 Issued

**Permit No. 1114505MA, Minor Amendment.** Public Water Supply.

Applicant **Hastings Municipal Authority**  
 207-1 Fifth Avenue  
 PO Box 559  
 Hastings, PA 16646  
 [Borough or Township] Hastings and Elder Townships  
 County **Cambria**  
 Type of Facility Installation of waterlines in the Village of Slickport  
 Consulting Engineer Stiffler McGraw and Associates  
 1731 North Juniata Street  
 Hollidaysburg, PA 16648  
 Permit to Construct May 12, 2014  
 Issued

**Permit No. 1113518MA, Minor Amendment.** Public Water Supply.

Applicant **Highland Sewer & Water Authority**  
 120 Tank Drive  
 Johnstown, PA 15904  
 [Borough or Township] Washington Township  
 County **Cambria**

Type of Facility Bear Rock tank  
 Consulting Engineer The EADS Group, Inc.  
 450 Aberdeen Drive  
 Somerset, PA 15501  
 Permit to Construct May 6, 2014  
 Issued

**Permit No. 1113519MA, Minor Amendment.** Public Water Supply.

Applicant **Highland Sewer & Water Authority**  
 120 Tank Drive  
 Johnstown, PA 15904  
 [Borough or Township] Washington Township  
 County **Cambria**  
 Type of Facility Rachel Hill tank #4  
 Consulting Engineer The EADS Group, Inc.  
 450 Aberdeen Drive  
 Somerset, PA 15501  
 Permit to Construct May 6, 2014  
 Issued

**Permit No. 1113520MA, Minor Amendment.** Public Water Supply.

Applicant **Highland Sewer & Water Authority**  
 120 Tank Drive  
 Johnstown, PA 15904  
 [Borough or Township] Washington Township  
 County **Cambria**  
 Type of Facility Rachel Hill tank #5  
 Consulting Engineer The EADS Group, Inc.  
 450 Aberdeen Drive  
 Somerset, PA 15501  
 Permit to Construct May 6, 2014  
 Issued

**Permit No. 0214505MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 [Borough or Township] North Strabane Township  
 County **Washington**  
 Type of Facility Water system  
 Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 Indianola, PA 15051  
 Permit to Construct May 10, 2014  
 Issued

**Permit No. 0214506MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 [Borough or Township] Independence and Jefferson Townships  
 County **Washington**  
 Type of Facility Water system

Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 Indianola, PA 15051  
 Permit to Construct May 10, 2014  
 Issued

**Permit No. 0214507MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 [Borough or Township] Cecil Township  
 County **Washington**  
 Type of Facility Water system  
 Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 Indianola, PA 15051  
 Permit to Construct May 10, 2014  
 Issued

**Permit No. 0214508MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 [Borough or Township] Cecil Township  
 County **Washington**  
 Type of Facility Water system  
 Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 Indianola, PA 15051  
 Permit to Construct May 10, 2014  
 Issued

**Permit No. 0214509MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 [Borough or Township] Mount Pleasant Township  
 County **Washington**  
 Type of Facility Waterline installation  
 Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 Indianola, PA 15051  
 Permit to Construct May 10, 2014  
 Issued

**Permit No. 0214510MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 [Borough or Township] Buffalo Township  
 County **Washington**  
 Type of Facility Waterline installation

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
Indianola, PA 15051

Permit to Construct May 10, 2014  
Issued

**Permit No. 0214511MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
800 West Hersheypark Drive  
Hershey, PA 17033

[Borough or Township] Buffalo Township

County **Washington**

Type of Facility Waterline installation

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
Indianola, PA 15051

Permit to Construct May 10, 2014  
Issued

**Permit No. 0214512MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
800 West Hersheypark Drive  
Hershey, PA 17033

[Borough or Township] Chartiers Township

County **Washington**

Type of Facility Waterline installation

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
Indianola, PA 15051

Permit to Construct May 10, 2014  
Issued

**Permit No. 0214513MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
800 West Hersheypark Drive  
Hershey, PA 17033

[Borough or Township] Smith Township

County **Washington**

Type of Facility Waterline installation

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
Indianola, PA 15051

Permit to Construct May 10, 2014  
Issued

**Permit No. 0214514MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
800 West Hersheypark Drive  
Hershey, PA 17033

[Borough or Township] Buffalo Township

County **Washington**

Type of Facility Waterline installation

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
Indianola, PA 15051

Permit to Construct May 10, 2014  
Issued

**Permit No. 0214515MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
800 West Hersheypark Drive  
Hershey, PA 17033

[Borough or Township] Smith Township

County **Washington**

Type of Facility Waterline installation

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
Indianola, PA 15051

Permit to Construct May 10, 2014  
Issued

**Permit No. 0214516MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
800 West Hersheypark Drive  
Hershey, PA 17033

[Borough or Township] Mount Pleasant Township

County **Washington**

Type of Facility Waterline installation

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
Indianola, PA 15051

Permit to Construct May 10, 2014  
Issued

**Permit No. 0214517MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
800 West Hersheypark Drive  
Hershey, PA 17033

[Borough or Township] Chartiers Township

County **Washington**

Type of Facility Waterline installation

Consulting Engineer Bankson Engineers, Inc.  
267 Blue Run Road  
Indianola, PA 15051

Permit to Construct May 10, 2014  
Issued

**Permit No. 0214518MA, Minor Amendment.** Public Water Supply.

Applicant **Pennsylvania American Water Company**  
800 West Hersheypark Drive  
Hershey, PA 17033



[Borough or Township] Chartiers and Mount Pleasant Townships  
 County **Washington**  
 Type of Facility Waterline installation  
 Consulting Engineer Bankson Engineers, Inc.  
 267 Blue Run Road  
 Indianola, PA 15051  
 Permit to Construct May 10, 2014  
 Issued  
**Permit No. 3014511MA, Minor Amendment.** Public Water Supply.  
 Applicant **East Dunkard Water Authority**  
 PO Box 241  
 SR 88  
 Dilliner, PA 15327

[Borough or Township] Borough of Greensboro; Dunkard and Monongahela Townships  
 County **Greene**  
 Type of Facility Transmission and waterline installation  
 Consulting Engineer Dakota Engineering Associates, Inc.  
 Etna Technical Center  
 Suite 200  
 35 Wilson Street  
 Pittsburgh, PA 15223  
 Permit to Construct May 10, 2014  
 Issued

Project Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The East Dunkard Water Authority is proposing a water system improvement project consisting of the following components:

<i>Contract #</i>	<i>Project Description</i>
1	Installation of approximately 1,400 feet of 10-inch and 51,100 feet of 8-inch diameter transmission main; and 15,900 feet of 6-inch diameter and 4,100 feet of 2-inch diameter waterline.
3	Construction of the 360,000 Griffin water storage tank; 200,000 gallon Donley water storage tank; and 200,000 Abel water storage tank. Installation of mixing systems in both Griffin tanks, new Donley tank, new Abel tank, Bald Hill tank, Clark tank, Sugar Grove tank, Alicia tank and Bobtown tank.
4	Water meter replacement in the East Dunkard Water Authority and Dunkard Valley service area distribution system.

The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

*Northwest Region: Safe Drinking Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Permit No. 4213502** Public Water Supply  
 Applicant **Allegheny Highlands Council, Inc.**  
 Township or Borough Keating Township  
 County **McKean**  
 Type of Facility Public Water Supply  
 Consulting Engineer Mark A. Tompeck, P.E.  
 Hatch Mott MacDonald  
 27 Bleeker Street  
 Millburn, NJ 07041  
 Permit to Construct May 6, 2014  
 Issued

**Permit No. 1014501** Public Water Supply  
 Applicant **John A. and Rebecca R. Venezia**  
 Township or Borough Harrisville Borough  
 County **Butler**  
 Type of Facility Public Water Supply

Consulting Engineer William P. Deemer, P.E.  
 William P. Deemer & Associates  
 205-B South Duffy Road  
 Butler, PA 16001  
 Permit to Construct May 6, 2014  
 Issued

#### SEWAGE FACILITIES ACT PLAN APPROVAL

##### Plan Approvals Granted Under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

*Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. 717-705-4707.*

##### *Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Liberty Township	1400 Wall Street Saxton PA 16678	Bedford County

*Plan Description:* Approval of a revision to the official plan of Liberty Township, Bedford County. The project is known as Liberty Township 14th Street Sanitary Sewer Extension. The plan provides for construction of a sewer extension with a total of 200 linear feet of gravity sewer to serve 3 existing homes and one new single family home in the 14th Street area. The proposed sewage flows are 1,600 gallons per day. The Department's review of the plan revision has not identified any significant impacts

resulting from this proposal. The DEP Code No. is A3-05918-062-3M and the APS Id is 841385. Any permits must be obtained in the name of the municipality.

## HAZARDOUS SITES CLEANUP ACT OF OCTOBER 18, 1988

### Notice of Response

#### Tunnelton Liquids Company Site, Conemaugh Township, Indiana County

The Pennsylvania Department of Environmental Protection ("DEP"), under the authority of the Hazardous Sites Cleanup Act, 35 P. S. Section 6020.101 et. Seq. ("HSCA"), has initiated a response at the Tunnelton Liquids Company ("TLC") site.

The TLC site ("Site") is located near the village of Tunnelton in Conemaugh Township, Indiana County. The Department believes that at the Site there is an imminent threat to the environment because of the potential for an uncontrolled release of untreated water and sludge to the river from the raw water pond. In addition, residue in parts of the treatment facility may contain hazardous substances and exposure to these substances creates a potential threat to persons coming into contact with these areas.

After evaluation of various alternatives to address the imminent threat at the Site, the Department chose to implement procedures to prevent a release from the raw water pond; to sample water and sediment/sludge in the raw water pond; and to develop and implement plans for pond closure.

This notice is being provided under Section 506 (b) of the Hazardous Sites Cleanup Act. The Administrative Record which contains information forming the basis and documenting the selection of this response action is available for public review and comment at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222 and is available for review between 9 a.m. and 4 p.m.

The Administrative Record will be open for comment until August 22, 2014. Persons may submit written comments into the record, during this time only, by sending them or delivering them to Terry Goodwald, Project Manager, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222.

In addition, persons may present oral comments for inclusion in the Administrative Record at a public hearing scheduled for July 1, 2014 at 6:30 p.m. at the Tunnelton Volunteer Fire Department located at 76 East 3rd Avenue, Saltsburg, PA 15681. Persons wishing to present comments must register with John Poister at the Department's Southwest Regional Office, in writing at: 400 Waterfront Drive, Pittsburgh, PA 15222 or by telephone at (412) 442- 4203 before noon, July 1, 2014.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodations to participate in the proceeding, should contact John Poister at (412) 442-4203 or through the Pennsylvania AT&T Relay Service at (800) 654-5954 (TDD) to discuss how the Department may accommodate their needs.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Southwest Region: Environmental Cleanup & Brown-field Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**Three Crossings Redevelopment Project** (27th and Railroad Street), City of Pittsburgh, **Allegheny County**. Langan Engineering and Environmental Services, Inc., 601 Technology Drive, Suite 200, Canonsburg, PA 15317 on behalf of Three Crossings, LP, One Oxford Center, Suite 4500, Pittsburgh, PA 15219 has submitted a Baseline Environmental Report (BER) concerning site soils and groundwater contaminated with volatile and semi-volatile organic compounds (VOCs & SVOCs) and metals. In order to obtain cleanup liability protection, the person undertaking the reuse of a Special Industrial Area shall enter into an agreement with the Department, based on the approved Baseline Environmental Report which outlines cleanup liability of the property. The notification of the BER was published on April 11, 2014 in the *Pittsburgh Post-Gazette*.

**Guardian Industries Corp.**, 1000 Glasshouse Road, Jefferson Hills Borough, **Allegheny County**. ARCADIS, 310 Seven Fields Blvd., Suite 210, Seven Fields, PA 16046 on behalf of Guardian Industries Corp., 1000 Glasshouse Road, Jefferson Hill, PA 15025 has submitted a Remedial Investigation Report concerning the remediation of site soils and groundwater contaminated with aluminum, arsenic, cobalt, iron, manganese, selenium, lead, 1,2-dichloroethane, benzene, and 2-methylnaphthalene and separate phase liquid hydrocarbons. This notice was published in the *Pittsburgh Post-Gazette* on March 12, 2014.

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Rich Oil Company Inc.**, Interstate 80 @ MM234E, Town of Bloomsburg, **Columbia County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Rich Oil Company, Inc., submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether, Xylenes. The report is intended to document remediation of the site to meet the Statewide Health Standard.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Former Bimbo Bakery**, 1901 North Cameron Street, Harrisburg, PA 17103, City of Harrisburg, **Dauphin County**. Reliance Environmental, Inc., 235 North Duke Street, Lancaster, PA 17602, on behalf of John Hoffman, Esq., Legal Consultant of the Remediator and Property Owner, Bryan Cave, LLP, 1 Metropolitan Square, Suite 3600, Saint Louis, MO 63102, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

**Lancaster Dodge / Former Wolf Motor Company**, 1473 Manheim Pike, Lancaster, PA, Manheim Township, **Lancaster County**. Becker Engineering, LLC, 115 Millersville Road, Lancaster, PA 17603, on behalf of Lancaster Dodge, 1473 Manheim Pike, Lancaster, PA 17601; Fay Lee Monte, Estate of Romaine Fisher, 23 A Compass Road, Parkesburg, PA 19365; Patti Spencer, Attorney for the Estate of Romaine Fisher, Spencer Law Firm, 901 Rohrerstown Road, Lancaster, PA 17601; and Alan J. Jarvis, Attorney for the Estate of Romaine Fisher, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with leaded gasoline released from an unregulated underground storage tank. The report is intended to document remediation of the site to meet a combination of Statewide Health and Site-Specific standards.

**Ephrata Marketplace**, 830 to 870 East Main Street, Ephrata, PA 17522, Ephrata Township, **Lancaster County**. Advantage Engineers LLC, 910 Century Drive, Mechanicsburg, PA 17055, on behalf of Ephrata GF, LP, 1000 North Front Street, Suite 500, Wormleysburg, PA 17043, submitted a Final Report concerning site soils and groundwater contaminated with PCBs, VOCs, PAHs and metals. The report is intended to document remediation of the site to meet the Non-Residential Statewide Health standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995  
PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).**

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office under which the notice of the plan or report appears. If information concerning a final report is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northcentral Region: Environmental Cleanup & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**Rich Oil Company Inc.**, Interstate 80 @ MM 234E, Town of Bloomsburg, **Columbia County**, Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Rich Oil Company, Inc., submitted a Final Report concerning the remediation of site soils



contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Napthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary, Butyl Ether and Xylenes resulting from a January 5, 2014 vehicle accident. The Final Report demonstrated attainment of the Statewide Health Standard, and was approved by the Department on April 23, 2014.

*Southcentral Region: Environmental Cleanup & Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Marian Berry Residence**, 923 Franklin Street, Carlisle, PA 17013, Borough of Carlisle, **Cumberland County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Marian Berry, 923 Franklin Street, Carlisle, PA 17013; and State Farm Insurance Company, PA Fire Claims, PO Box 106110, Atlanta Georgia 30348-6110, submitted a Final Report concerning the remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on May 7, 2014.

**Lancaster Dodge / Former Wolf Motor Company**, 1473 Manheim Pike, Lancaster, PA, Manheim Township, **Lancaster County**. Becker Engineering, LLC, 115 Millersville Road, Lancaster, PA 17603, on behalf of Lancaster Dodge, 1473 Manheim Pike, Lancaster, PA 17601; Fay Lee Monte, Estate of Romaine Fisher, 23 A Compass Road, Parkesburg, PA 19365; Patti Spencer, Attorney for the Estate of Romaine Fisher, Spencer Law Firm, 901 Rohrerstown Road, Lancaster, PA 17601; and Alan J. Jarvis, Attorney for the Estate of Romaine Fisher, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with leaded gasoline released from an unregulated underground storage tank. The combined report was administratively incomplete and was disapproved by the Department on May 8, 2014.

*Southwest Region: Environmental Cleanup & Brownfield Development Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

**Federal Laboratories—Area 11**, Treece Road, Saltsburg, PA 15681, **Indiana County**. EHS Support, LLC., 103 Rogers Court, Pittsburgh, PA 15120 on behalf of Breeze-Eastern Corporation, 35 Melanie Lane, Whippany, NJ 07981 submitted a Final Report concerning remediation of site soils contaminated with metals. The Final Report demonstrated attainment of non-residential Statewide Health Standard for soils and was approved by the Department on May 6, 2014.

#### INFECTIOUS AND CHEMOTHERAPEUTIC WASTE GENERAL PERMITS

**Permit Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Infectious and Chemotherapeutic Waste Processing Facilities.**

*Southcentral Region: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

**General Permit Application No. WMGI005-SC01. Corixa Corporation d/b/a GlaxoSmithKline Vaccines**, North America, Inc., 325 North Bridge Street, Marietta, PA 17547, East Donegal Township, **Lancaster**

**County**. This permit was modified to add the deactivation of the Varicella vaccine. This permit was issued on May 5, 2014.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**GP1-36-03103A: Kunzler & Co., Inc.** (652 Manor Street, PO Box 4747, Lancaster, PA 17604-4747) on May 7, 2014, for a new natural gas-fired boiler, rated at 16.328MMBtu/hr., at their meat processing facility in Lancaster City, **Lancaster County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**GP5-30-00228: CONE Gathering, LLC** (1000 CONSOL Energy Drive, Canonsburg, PA 15317) on May 06, 2014, to allow the construction and operation of Four (4) Caterpillar, Model No. G3608 LE, 4 stroke lean burn natural gas-fired compressor engines, rated @ 2,370 bhp; controlled by DC64L3-20HGS, oxidation catalysts; regulated by CAT ADEM3 air/fuel ratio controllers, One (1) Enclosed Flare used for station shut down; rated at 30.0 MMBtu/hr; pilot burner rating 0.35 MMBtu/hr, Three (3) storage tanks of various capacities containing various fluids and controlled by VRU, and Truck loading controlled by VRU at their McQuay II Compressor Station located in Center Township **Greene County**.

**GP5-30-00217A: CONE Gathering, LLC** (1000 CONSOL Energy Drive, Canonsburg, PA 15317) on May 7, 2014, for the construction and operation of three 1,380 bhp natural gas-fired compressor engines controlled by oxidation catalysts and continued operation of a 150 MMscfd dehydrator at the Morris Dehydrator Station located in Center Township, **Greene County**.

**GP5-30-00222A: Appalachia Midstream Services, LLC** (PO Box 54382, Oklahoma City, OK 73154) on May 8, 2014, to allow construction and operation of proposed truck loading of produced water and continuing the operation of previously installed Two (2) identical Natco TEG Dehydrator units; Two (2) Flash Tanks; each equipped with a BTEX-2 condenser, Two (2) natural gas-fired Reboilers; each rated at 1.54 MMBtu/hr, Two (2) natural gas-fired Inline Heaters; each rated at 5.38 MMBtu/hr, Three (3) Storage Tanks of various capacities containing various fluids at their Wind Ridge Compressor Station located in Richhill Township, **Greene County**.

**GP5-30-00211A: Energy Corporation of America** (101 Heritage Run Road, Suite 1, Indiana, PA 15701) on



April 22, 2014, to allow the construction and/or operation of Four (4) Caterpillar, G3516 TALE, 4 stroke lean burn natural gas-fired compressor engines, each rated at 1,340 bhp @ 1,400 rpm; controlled by Emit Technologies oxidation catalysts; RT-2415-H, and regulated by air-fuel ratio controllers, Two (2) Caterpillar, G3516 TALE, natural gas-fired compressor engines, 1,340 bhp @ 1,400 rpm; controlled by DCL International oxidation catalysts, DC65, and are regulated by an air-fuel ratio controller, One (1) Caterpillar, G3406 TA, 4 stroke rich burn, natural gas-fired electric generator, rated at 301 bhp @ 1,800 rpm; controlled by TWC catalyst 304L, and regulated by Woodward air-fuel ratio controller, One (1) Valerus—TEG dehydrator rated at 45.0 MMscfd and reboiler rated at 0.5 MMBtu/hr, controlled by an Environ Thermo TVO36-03 thermal oxidizer rated at 2.0 MMBtu/hr, One (1) Cameron—TEG 150/275 dehydrator, 30.0 MMscf/day; controlled by one (1) EnviroThermo—TVO36-03, thermal oxidizer, 2.0 MMBtu/hr, One (1) Sivalis, natural gas-fired reboiler, 0.35 MMBtu/hr, One (1) produced water tank, 210 bbl (8,820 gallons) capacity, One (1) Residual Oil/Brine tank, 210 bbl (8,820 gallons) capacity, One (1) used engine oil tank, 100 gallons capacity at their Kuhn/Skib Compressor Station located in Jefferson Township Greene County.

**GP3-65-01031: Westinghouse Electric Company, LLC** (1000 Westinghouse Drive, Cranberry Township, PA 16066) on May 9, 2014, to allow the installation and operation of a portable nonmetallic mineral processing plant including one screen and one crusher with associated conveyors and operated by diesel-fired engines at the Waltz Mill—Seubert House—Demolition Debris Area located in Hempfield Township, **Westmoreland County**.

**GP11-65-01031: Westinghouse Electric Company, LLC** (1000 Westinghouse Drive, Cranberry Township, PA 16066) on May 9, 2014, to allow the installation and operation of two diesel-fired nonroad engines to run a portable nonmetallic mineral processing plant including one screen and one crusher with associated conveyors at the Waltz Mill—Seubert House—Demolition Debris Area in Hempfield Township, **Westmoreland County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**GP5-42-220C: US Energy Development Corp.—Bradford Compressor Station** (938 Interstate Parkway, Bradford, PA 16701) on April 30, 2014, for the operation of one (1) Caterpillar engine, Model G3408 CLE rated 425 bhp at 1,800 rpm, one (1) Caterpillar engine, Model G3508 CLE rated 630 bhp at 1,400 rpm, one (1) Caterpillar engine, Model G3408 TA rated 405 bhp at 1,800 rpm, one (1) QB Johnson Natural Gas Dehydrator, Model 562208, one (1) 33,000 gallon high pressure condensate storage tank, and two (2) rich burn, 4 stroke natural gas fired non-emergency electrical generator engines, Cummins Model WSG-1068 rated 115 bhp at 1,800 rpm (BAQ-GPA/GP-5) located in Foster Township, **McKean County**.

**Plan Approvals Issued under the Air Pollution Control Act and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**40-00126A: Hazleton Hiller, LLC** (414 Stockton Mountain Road, PO Box 435, Hazleton, PA 18201) on April 29, 2014, for construction and operation of a new coal preparation plant with Cyclone and baghouse control equipment at their facility in Hazle Township, **Luzerne County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**06-05096D: Reading Health System** (PO Box 16052, Reading, PA 19612-6052) on May 5, 2014, to install two (2) new diesel-powered emergency generators, 2,220 BHP each, at their hospital facility in West Reading Borough, **Berks County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**25-025T: GE Transportation—Erie Plant** (2901 East Lake Road, Bldg. 9-201, Erie, PA 16531) on May 6, 2014, for modification of conditions from Plan Approval 25-025Q for the test cells in Lawrence Park Township, **Erie County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or 127.505, be incorporated into the State Only operating permit at a later date.

**43-356C: Hermitage Municipal Authority** (800 North Hermitage Road, Hermitage, PA 16148-3220) on May 6, 2014, for modification of Source 101 (Combined Heat and Power Unit), last permitted in Plan Approval 43-356B. The facility will use natural gas as a supplemental fuel for Source 101. This equipment is located at the Bobby Run Water Pollution Control Plant in the City of Hermitage, **Mercer County**.

**Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act and 25 Pa. Code §§ 127.13, 127.13a and 127.32.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: James Beach, New Source Review Chief—Telephone: 484-250-5920*

**46-0027C: Janssen Research & Development LLC** (Welsh & McKean Road, Spring House, PA 19477) on May 8, 2014, for operation of a generator (3.8MW) in Lower Gwynedd Township, **Montgomery County**.

**09-0063B: New Hope Crushed Stone Co.** (6970 Phillips Mill Road, New Hope, PA 18938) on May 8, 2014, for operation of the C-18 belt conveyor in Solebury Township, **Bucks County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**44-05001D: Standard Steel, LLC** (500 N. Walnut St., Burnham, PA 17009) on May 7, 2014, for their melt shop upgrade at the steel manufacturing facility in Burnham

Borough, **Mifflin County**. The original Plan Approval No. 44-05001D was for the installation of a ladle melting furnace (LMF) to replace the #3 electric arc furnace (EAF), and modification to #4 EAF with the melt shop upgrade for better quality steel, including switching the existing two baghouses between the furnaces. This plan approval is also for construction of two (2) ladle heaters (5 mmbtu/hr each), and a vacuum tank degasser (VTD), and a new recirculated water cooling system, including a mechanical draft cooling tower. The plan approval was extended.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**18-00005D: Dominion Transmission, Inc.** (PO Box 2450, Clarksburg, WV 26302-2450) on April 19, 2014, to authorize construction and operation for the construction and operation of a 16,000 brake-horsepower (bhp) natural gas-fired turbine/compressor engine (Source ID P110), a 690 bhp natural gas-fired emergency generator (Source ID P202), a 4.2 million Btu per hour boiler and a 2.5 million Btu per hour boiler (Source ID 042) at their Finnefrock Compressor Station located in Leidy Township, **Clinton County**. The plan approval has been extended to October 16, 2014.

**08-00045A: Panda Liberty LLC** (4100 Spring Valley Road, Suite 1001, Dallas, TX 75244) on May 6, 2014, revised plan approval for the former Moxie Liberty—Moxie Liberty Generation Plant facility in Asylum Township, **Bradford County**. The facility's name was modified to Panda Liberty/Panda Liberty Power Project. In addition, the plan approval was modified to incorporate the changes with respect to the owner name and contact persons, as specified on page 1 of the plan approval. The plan approval contains monitoring, recordkeeping, reporting and work practice conditions to demonstrate compliance with all applicable Federal and State air quality regulations.

**08-313-004L: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) on April 28, 2014, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from May 19, 2014 to November 15, 2014, at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

**41-00078C: PVR NEPA Gas Gathering, LLC** (101 West Third Street, Williamsport, PA 17701) on May 7, 2014, to extend the authorization for the construction of four natural-gas fired compressor engines (Source IDs P107-P110) each equipped with oxidation catalysts (C107-C110). The plan approval also incorporates two existing natural-gas fired compressor engines (Source IDs P105 and P106), each equipped with oxidation catalysts (C105 and C106), two existing glycol dehydrators (Source IDs P201 and P202) and three existing natural-gas fired compressor engines (Source IDs P101-P103) each equipped with oxidation catalysts (C101-C103) at the Barto Compressor Station located in Penn Township, **Lycoming County** to November 4, 2014. The plan approval has been extended.

**57-00005B: Appalachia Midstream Services, LLC** (PO Box 54382, Oklahoma City, OK 73154-1382) on April 29, 2014, to extend the authorization an additional 180 days from May 14, 2014 to November 10, 2014, in order to continue the compliance evaluation and permit operation pending issuance of an operating permit for the facility. The extension authorization allows continued

operation of the facility located in Cherry Township, **Sullivan County**. The plan approval has been extended.

**14-00002N: Graymont (PA), Inc.** (965 East College Avenue, Pleasant Gap, PA 16823-6823) on April 30, 2014, to extend the expiration date of the plan approval to August 31, 2015, in order to allow continued construction of Kiln No. 8 and its associated air cleaning devices and material handling. The proposed kiln is located at the Pleasant Gap plant in Spring Township, **Centre County**. The plan approval has been extended.

**59-00025A: EQT Gathering, LLC** (EQT Plaza, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) on April 29, 2014, for a revision of the Responsible Official of the Tioga natural gas compressor station located in Duncan Township, **Tioga County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**63-00965A: Rice Poseidon Midstream LLC** (171 Hillpointe Drive Suite 301, Canonsburg, PA 15317) on May 08, 2014, to authorize the change of ownership from M3 Appalachia Gathering, LLC to Rice Poseidon Midstream LLC for Twilight Compressor Station located in West Pike Run Township, **Washington County**.

---

#### **Title V Operating Permits Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter G.**

---

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**46-00037: Global Advanced Metals USA, Inc.** (650 County Line Road, Boyertown, PA) on May 7, 2014, for renewal of the Title V Operating Permit in Douglass Township, **Montgomery County**. The initial permit was issued on 12-31-2001. As a result of potential emissions of NO<sub>x</sub>, VOCs and HAP, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Permit Renewal contains all up-to-date applicable requirements including monitoring, recordkeeping and reporting.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**TIVOP 41-00084: Panda Patriot LLC** (4100 Spring Valley Road, Suite 1001, Dallas, TX 75244) on May 6, 2014, Phase II Acid Rain (Title IV) Permit for the proposed Panda Patriot Generation Plant located in Clinton Township, **Lycoming County**. All of the applicable Federal and State regulatory requirements for Title IV, including requirements covering the special conditions related to acid rain at 25 Pa. Code § 127.531, have been included in the Acid Rain Permit for this facility.



*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6131*

**42-00004: American Refining Group** (77 N. Kendall Ave., Bradford, PA 16701-1726) on May 7, 2014, in accordance with 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) issued the modification to the Title V Operating Permit for the facility, located in Bradford City, **McKean County**.

The facility is a major facility as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit NO<sub>x</sub>, SO<sub>x</sub>, VOC, HAP, and Particulate Matter emissions. The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapters F and G. The facility is subject to multiple State and Federal Regulations. The modification involves the incorporation of the requirements of 40 CFR 63 Subpart DDDDD—National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters. The requirements in Subpart DDDDD became effective April 1, 2013. The Department is required to revise the permit because the expiration date of the current permit is more than 3 years from the effective date of Subpart DDDDD. The modification is pursuant to 25 Pa. Code § 127.463 (Operating permit revisions to incorporate applicable standards). The permit expires September 30, 2016. The boilers and process heaters (except boiler #5 and the crude unit heater) are subject to the tune-up and energy assessment work practice standards of Subpart DDDDD. The boiler #5 is a coat fired boiler which will be replaced and the permit includes milestones for the extension of the Boiler MACT for that source. The crude unit heater is subject to emission limits, testing, fuel analysis, monitoring requirements, recordkeeping requirements, reporting requirements, work practice standards, additional requirements, and operating limits identified in Subpart DDDDD.

**43-00310: NLMK Pennsylvania** (15 Roemer Boulevard, Farrell, PA 16121) on May 8, 2014, for a minor operating permit modification of the Title V Operating Permit to incorporate the change in the scrubber parameters for Source 227 for the facility located in the City of Farrell, **Mercer County**. The modification of the scrubber parameters is based on the performance testing conducted on the source on August 14, 2013. The minimum scrubber makeup water flow rate was revised from 15.5 to 15.1 gallons per hour (gpm). The minimum recirculation water flow rate was revised from 236 to 224.4 gpm.

#### **Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act and 25 Pa. Code Chapter 127, Subchapter F.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**23-00088: Southco, Inc.** (210 North Brinton Lake Road, Concordville, PA 19331) on May 5, 2014, for the primary manufacturing of industrial gaskets and fasteners, natural minor facility at 210 North Brinton Lake Road, Concord Township, **Delaware County**. This action is a renewal of the facility's State Only Operating Permit originally issued on May 14, 2008. The renewal does not allow any new changes other than updating of the source inventory and changes of minor significance, as well as

updating the applicable federal and state regulations. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Facility Permitting Chief—Telephone: 717-705-4862 or William Weaver, Regional Air Quality Manager, Telephone: 717-705-4702.*

**06-05114: Birchcraft Kitchens, Inc.** (425 Richmond Street, Reading, PA 19605) on May 5, 2014, for their wood cabinet manufacturing facility in Reading City, **Berks County**. The State-only permit was renewed.

**28-05029: Fayetteville Contractors, Inc.** (PO Box 610, Fayetteville, PA 17222-0610) on May 6, 2014, for their batch asphalt plant in Antrim Township, **Franklin County**. The State-only permit was renewed.

**67-03045: ACCO Material Handling Solutions, Inc.** (PO Box 792, York, PA 17405-0792) on May 7, 2014, for their hoist and crane components manufacturing facility in York City, **York County**. The State-only permit was renewed.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**08-00012: Cargill Meat Solutions Corp.** (P.O. Box 188, Wyalusing, PA 18853-0188) on May 7, 2014, for their facility in Wyalusing Township, **Bradford County**. The facilities sources include three (3) dual-fired boilers, natural gas-fired combustion units, three (3) diesel-fired engines, six (6) parts washers, rendering operation, blood drying operation, one (1) biogas flare, crax processing operation, nine (9) storage tanks and a wastewater treatment plant. The operating permit includes emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636*

**25-01006: Lake Erie Biofuels LLC—DBA Hero BX** (1540 East Lake Road, Erie PA 16511-1032) on May 7, 2014, issued the renewal of a synthetic minor operating permit in the City of Erie, **Erie County**. The significant sources are two process steam boilers, the biodiesel production, storage tanks, a high pressure steam generator for the fatty acid stripper, a parts washer, emergency generator, and an emergency fire pump. The conditions of the previous plan approvals 25-1006A and 25-1006B were previously incorporated into the operating permit. The permittee is a synthetic minor source of SO<sub>x</sub> emissions by accepting an elective throughput restriction on the quantity of residual oil combusted in the two process boilers (1.21 million gallons) based on a consecutive 12-month period. The permittee shall keep records of the SO<sub>x</sub> emissions based on the quantity of residual oil burned. The facility is a natural minor facility for the remaining pollutants. The emergency generator and emergency fire pump are both subject to the requirements of 40 CFR 60 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

### De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-6636*

**10-00287: Minteq International Inc.** (395 Grove City Road, Slippery Rock, PA 16057) at their facility in Slippery Rock Borough, **Butler County**. The authorized De minimis emission increase concerns the connecting of an existing mixer source to an existing control device. The

facility currently operates under SOOP 10-00287. The source is used intermittently and Minteq's evaluation of the control device shows that it has the capacity required to control emissions from this previously uncontrolled indoor venting source.

This source is exempt from plan approval as it complies with 25 Pa. Code § 127.449. The Department hereby approves the De minimis emission increase. The following table is a list of the De minimis emission increases as required by 25 Pa. Code 127.449(i). This is the third De minimis emission increase which has occurred since their current State Only Operating Permit (10-00287) was issued on August 18th, 2009.

<i>Date</i>	<i>Source</i>	<i>PM<sub>10</sub> (tons)</i>	<i>SO<sub>x</sub> (tons)</i>	<i>NO<sub>x</sub> (tons)</i>	<i>VOC (tons)</i>	<i>CO (tons)</i>
08/2009	Batching Mixer (P103) Like Replacement	No Increase	-	-	-	-
07/2010	Line 7 Mixer Unit (P108)	0.1	-	-	-	-
11/16/2013	Mixer (P109) to outdoor atmosphere via dust collector C03	0.33	-	-	-	-
Total Reported Increases		0.43	-	-	-	-
Allowable		0.6 ton/source 3 tons/facility	1.6 tons/source 8 tons/facility	1 ton/source 5 tons/facility	1 ton/source 5 tons/facility	4 tons/source 20 tons/facility

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a).** The final action on each application also constitutes action on the NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

### Coal Permits Issued

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100*

**56961302. RoxCOAL, Inc.,** (PO Box 149, Friedens, PA 15541). To renew the permit for reclamation only for the Miller Mine in Lincoln and Jenner Townships, **Somerset County**. No additional discharges. The application was considered administratively complete on January 23, 2012. Application received October 31, 2011. Permit issued May 1, 2014.

**32991301 and NPDES No. PA0215228. AMFIRE Mining Company, LLC,** (One Energy Place, Latrobe, PA 15650). To revise the permit for the Nolo Deep Mine in Buffington and Pine Townships, **Indiana County** to add underground permit and subsidence control plan acres. Underground Acres Proposed 2,116.0, Subsidence Control Plan Acres Proposed 2,215.0. No additional discharges. The application was considered administratively complete on February 28, 2014. Application received December 23, 2013. Permit issued May 8, 2014.

**56981301 and NPDES No. PA0215121. Quecreek Mining, Inc.,** (1576 Stoystown Road, PO Box 60, Friedens, PA 15541). To revise the permit for the Quecreek No. 1 Mine in Lincoln and Somerset Townships, **Somerset County** and related NPDES permit to add underground permit and subsidence control plan area acres. Underground Acres Proposed 1,237.0, Subsidence Control Plan Acres Proposed 793.0. No additional discharges. The application was considered administratively complete on April 12, 2012. Application received November 14, 2011. Permit issued May 9, 2014.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931*

**Permit No. 56070106 and NPDES No. PA0262471, Fieg Brothers,** 3070 Stoystown Road, Stoystown, PA 15563, permit renewal for the continued operation and restoration for a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 36.3 acres. Receiving streams: unnamed tributaries to Hays Run and unnamed tributaries to Buffalo Creek, classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application Received: July 3, 2013. Permit Issued: May 5, 2014.



**Permit No. 56980103 and NPDES No. PA0234699. Wilson Creek Energy, LLC**, 140 West Union Street, Somerset, PA 15501, permit renewal for the reclamation only of a bituminous and auger mine in Lincoln and Jenner Townships, **Somerset County**, affecting 138.0 acres. Receiving stream: UTs Quemahoning Creek classified for the following use: cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SWI. Application received: September 6, 2013. Permit Issued: May 5, 2014.

**Permit No. 56920106 and NPDES No. PA0599557, Sherpa Mining Contractors, Inc.**, 337 Benny Road, Hooversville, PA 15936, permit renewal for the continued operation and restoration of a bituminous surface mine in Shade Township, **Somerset County**, affecting 276.0 acres. Receiving streams: unnamed tributaries to Hinson Run, unnamed tributaries to Shade Creek and unnamed tributaries to Stony Creek classified for the following use: cold water fisheries. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWI. Application received: September 12, 2013. Permit Issued: May 5, 2014.

**Permit No. 56890115 and NPDES No. PA0598666. PBS Coals, Inc.**, P.O. Box 260, Friedens, PA 15541, revision of an existing bituminous surface and auger mine to change the land use from Woodland to Cropland in Brothersvalley Township, **Somerset County** affecting 299.2. Receiving streams: Unnamed tributaries to/and Blue Lick Creek classified for the following use: cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: February 4, 2014. Permit Issued: May 5, 2014.

**Permit No. 4074SM28 and NPDES No. PA0599123. PBS Coals, Inc.**, P.O. Box 260, Friedens, PA 15541, revision of an existing bituminous surface and auger mine to change the land use from Woodland to unmanaged Natural Habitat in Summit Township, **Somerset County** affecting 377.2. Receiving streams: Casselman River and unnamed tributaries to/and Bigby Creek, classified for the following use: cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: February 12, 2014. Permit Issued: May 5, 2014.

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500*

**63090104 and NPDES Permit No. PA0251836. S & K Energy, Inc.** (5945 Pudding Stone Lane, Bethel Park, PA 15102). Revised permit issued for incidental boundary change to an existing bituminous surface mine, located in Smith Township, **Washington County**, affecting 219.3 acres. Receiving streams: unnamed tributary to Raccoon Creek. Application received: January 8, 2014. Permit issued: May 7, 2014.

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669*

**04070103. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous surface mine in Ohioville Borough, **Beaver County**, affecting 30.0 acres. Receiving streams: Bieler Run. This renewal is for reclamation only. Application received: March 30, 2014. Permit Issued: May 7, 2014.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901*

**Permit No. 54930101R4. Char-Pac Coal Company**, (PO Box 81, Minersville, PA 17954), renewal for Reclama-

tion Activities Only of an existing anthracite surface mine operation Branch Township, **Schuylkill County** affecting 102.8 acres, receiving stream: Schaefer Creek. Application received: June 12, 2013. Renewal issued: May 6, 2014.

**Permit No. 54930101GP104. Char-Pac Coal Company**, (PO Box 81, Minersville, PA 17954), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54930101 in Branch Township, **Schuylkill County**, receiving stream: Schaefer Creek. Application received: September 4, 2013. Permit issued: May 6, 2014.

**Permit No. 54890201R4. Coal Castle Fuels, Inc.**, (1 Norwegian Plaza, Suite 300, Pottsville, PA 17901), renewal of an existing anthracite coal refuse reprocessing operation in Cass Township, **Schuylkill County** affecting 82.24 acres, receiving stream: Schuylkill River. Application received: December 30, 2008. Renewal issued: May 12, 2014.

**Permit No. 54890201GP104. Coal Castle Fuels, Inc.**, (1 Norwegian Plaza, Suite 300, Pottsville, PA 17901), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54890201 in Cass Township, **Schuylkill County**, receiving stream: Schuylkill River. Application received: May 8, 2012. Permit issued: May 12, 2014.

#### *Noncoal Permits Issued*

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931*

**Permit No. 11130301 and NPDES No. PA0269255. Laurel Sand & Stone, Inc.**, 210 E. Main Street, P.O. Box 556, Ligonier, PA 15658, commencement, operation and restoration of a large noncoal (industrial minerals) operation in Jackson Township, **Cambria County**, affecting 57.0 acres. Receiving streams: unnamed tributaries to Bracken Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application Received: September 24, 2013. Permit Issued: April 24, 2014.

**Permit No. 6875SM3 and NPDES No. PA0612383, New Enterprise Stone & Lime Co., Inc.**, dba Eastern Industries, Inc., 4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034, renewal of NPDES permit in Armagh Township, **Mifflin County**. Receiving stream: unnamed tributary to Honey Creek classified for the following use: High Quality cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 20, 2014. Permit Issued: May 5, 2014.

*Knox District Mining Office: P.O. Box 669, 310 Best Avenue, Knox, PA 16232-0669*

**25820301. Ray Showman Jr. Excavating, Inc.** (12671 Route 19 South, Waterford, PA 16441-0646) Transfer of an existing large industrial minerals mine from Frank Tucci in McKean Township, **Erie County**, affecting 61.0 acres. Receiving streams: unnamed tributary to Elk Creek. Application received: September 30, 2013. Permit Issued: May 7, 2014.

**25820301-GP-104. Ray Showman Jr. Excavating, Inc.** (12671 Route 19 South, Waterford, PA 16441-0646) General NPDES Permit for stormwater discharges associated with mining activities on Mine Drainage Permit No. 25820301 in McKean Township, **Erie County**. Receiving streams: unnamed tributary to Elk Creek. Application received: September 30, 2013. Permit Issued: May 7, 2014.

**16141811-GP-104. Amerikohl Aggregates, Inc.** (1384 State Route 711, Stahlstown, PA 15687) General NPDES Permit for stormwater discharges associated with mining activities on Notice of Intent to Explore No. 16141811 in Richland Township, **Clarion County**. Receiving streams: unnamed tributary to Clarion River. Application received: May 7, 2014. Permit Issued: May 8, 2014.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901*

**40120301. Hanover Nursery**, (5 Crystal Street, Hanover Township, PA 18706), commencement, operation and restoration of a quarry operation in Plymouth Township, **Luzerne County** affecting 61.0 acres, receiving stream: Susquehanna River. Application received: September 26, 2012. Permit issued: May 12, 2014.

**40120301GP104. Hanover Nursery**, (5 Crystal Street, Hanover Township, PA 18706), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40120301 in Plymouth Township, **Luzerne County**, receiving stream: Susquehanna River. Application received: September 26, 2012. Permit issued: May 12, 2014.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

**Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

##### *Blasting Permits Issued*

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500, (Contact: Cathy Hillman)*

**63144002. Geokinetics** (P.O. Box 487, Washington, PA 15301). Blasting activity permit for the IAGC/Marcellus Shale Coalition Seismic Demonstration located in Robinson Township, **Washington County** with an exploration date of July 30, 2014. Blasting permit issued: May 7, 2014.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866*

**41144102. M & J Explosives, LLC** (P. O. Box 1248, Carlisle, PA 17013). Blasting for a well pad located in McNett Township, **Lycoming County** with an expiration date of May 1, 2015. Permit issued May 6, 2014.

**57144102. M & J Explosives, LLC** (P. O. Box 1248, Carlisle, PA 17013). Blasting for a well pad located in Elkland Township, **Sullivan County** with an expiration date of May 1, 2015. Permit issued May 6, 2014.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901*

**06144105. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Bernville Pipeline in Muhlenberg, Bern and Ontelaunee Townships, **Berks County** with an expiration date of April 30, 2015. Permit issued: May 6, 2014.

**22144104. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Shermans Dale Pipeline in West Hanover and Middle Paxton Townships, **Dauphin County** with an expiration date of April 30, 2015. Permit issued: May 6, 2014.

**38144104. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for

Grantville East Pipeline in Bethel, Swatara and Jackson Townships, **Lebanon County** with an expiration date of April 30, 2015. Permit issued: May 6, 2014.

**38144105. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Grantville West Pipeline in North Annville and East Hanover Townships, **Lebanon County** with an expiration date of April 30, 2015. Permit issued: May 6, 2014.

**58144125. DW Drilling & Blasting**, (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Plonsky gas pad & tank farm in Gibson Township, **Susquehanna County** with an expiration date of April 24, 2015. Permit issued: May 6, 2014.

**58144126. DW Drilling & Blasting**, (9990 Coconut Road, Bonita Springs, FL 34135), construction blasting for Friendland Farms gas pad & tank farm in Lathrop Township, **Susquehanna County** with an expiration date of April 24, 2015. Permit issued: May 6, 2014.

**58144127. MD Drilling & Blasting, Inc.**, (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for Corporate Pipeline in Bridgewater Township, **Susquehanna County** with an expiration date of April 28, 2015. Permit issued: May 6, 2014.

**58144128. MD Drilling & Blasting, Inc.**, (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for Union Hill Pipeline Project in Gibson and Harford Townships, **Susquehanna County** with an expiration date of April 28, 2015. Permit issued: May 6, 2014.

#### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.



Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P.S. § 679.302) and The Clean Streams Law and Notice of Final Action for Certification under section 401 of the FWPCA.**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

*Southwest Region: Waterways and Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.*

**E02-1684-A1. Pennsylvania Department of Transportation District 11-0**, 45 Thoms Run Road, Bridgeville, PA 15017; Oakmont Borough and Harmar Township, **Allegheny County**; ACOE Pittsburgh District.

Has been given consent to amend the existing permit (E02-1684) to include additional temporary impacts from dredging an adjacent 12,235 sq. ft. of Allegheny River bed to provide for barge access during construction, and adjacent areas of barge construction staging that require 160 sq. ft. of anchoring river bed disturbance. Mitigation for the additional impacts will be via contribution to the Pennsylvania Mussel Conservation Fund. The existing permit authorizes the removal of the existing SR 2082, two lane, 28.3 ft. total width, five span, steel through truss bridge with a 70 degree skew and having a total length of 1,544 ft., and having a navigational channel normal pool elevation clearance of approximately 50 ft.; and to construct and maintain adjacent to and upstream and to the north of the existing bridge a five span, steel girder, four lane, 69 ft. width replacement bridge with a 80 degree skew and having a total length of 1,633 ft., and having a navigational channel normal pool elevation clearance of approximately 47 ft. over the Allegheny River (WWF) with a drainage area of 11,682 square miles. In addition the project includes temporary encroachments for construction and demolition, and encroachments associated with modification or replacement of stormwater facilities from the road alignment adjustment and new bridge. The PennDOT improvement and relocation project extends between Oakmont Borough to the east and Harmar Township to the west (New Kensington West Quadrangle: N: 4.8"; W: 13.5"; Latitude 40° 31' 37" and Longitude -79° 50' 46") in Allegheny County.

**E56-374. Pennsylvania Department of Transportation District 9-0**, 1620 North Juniata Street, Hollidaysburg, PA 16648; Summit Township, **Somerset County**; ACOE Pittsburgh District

Has been given consent to remove the existing SR 2004, two lane, 26.7 ft. width, two span bridge having a total span length of 79.22 ft., and having a minimum underclearance of 8.84 ft.; and to construct and maintain a single span, two lane, 38 ft. width replacement bridge having a total span length of 102.75 ft., and having a minimum underclearance of 8.86 ft., shifted approximately 34 ft. downstream over Elk Lick Creek (CWF) with a drainage area of 18.1 square miles. In addition the project includes temporary encroachments for construc-

tion and demolition, and encroachments including temporary impacts to 0.02 acre of wetlands associated with modification or replacement of stormwater facilities from the road alignment adjustment and new bridge. The PennDOT improvement and relocation project is in Summit Township, northwest of Meyersdale, PA (Meyersdale Quadrangle; N: 12.5 inches; W: 5.5 inches; Latitude 39° 49' 9"; Longitude -79° 2' 20") in Somerset County.

**E65-955. Pennsylvania Department of Transportation District 12-0**, 825 North Gallatin Avenue, Uniontown, PA 15017; South Huntingdon Township, **Westmoreland County**; ACOE Pittsburgh District.

Has been given consent to operate and maintain a replacement 72' long, 9' inside diameter RCP culvert with a 63 degree skew with outlet raised approximately 1' on Painters Run (WWF) with a drainage area of 1.2 square miles of a removed 26.5' long, 9' diameter, 7' underclearance, open bottom, masonry arch, T-3059 culvert with a 75 degree skew. The new and installed culvert was authorized and constructed under Emergency Permit no. EP6510206 due to a partial collapse of the arch crossing (Smithton Pa Quadrangle; N: 14 inches; W: 12.75 inches; Latitude 40° 12' 16"; Longitude 79° 43' 01") South Huntingdon Township, Westmoreland County.

**ENVIRONMENTAL ASSESSMENTS**

*Central Office: Attention: Brian Bradley, Environmental Program Manager, P.O. Box 69205, Harrisburg, PA 17106.*

**EA5910-001. Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, P.O. Box 69205, Harrisburg, PA 17106. Abandoned Mine Land Reclamation Project, in Hamilton Township, **Tioga County**, Baltimore ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 5,610 linear feet of dangerous highwall. The project will include the backfilling of 0.49 acre of open water and 0.014 acre of wetlands that have developed within the open surface mine pits. (Blossburg Quadrangle N: 7 inches, W: 3.5 inches)

**EROSION AND SEDIMENT CONTROL**

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. The appeal should be sent to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, PO Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin* unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once.

Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

*Southwest Region: Waterways & Wetlands Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745.*

<i>ESCGP-2 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
0063138007-1	Columbia Gas Transmission, LLC.	Washington & Greene	Franklin, Washington, and Amwell Township	Redd Run (WWF), Little Ten Mile Run (WWF), Horne Run (WWF, Bane Creek (WWF), Ten Mile Creek (TSF), Ten Mile Creek (WWF), Ruff Creek (WWF), Wallers Run (WWF), South For Ten Mile Creek (HQWWF), Wisecarver run (HQ-WWF), Mud Lick Run (HQ-WWF), Browns Creek (HQ-WWF)

*Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335*

ESCGP-1 #ESX14-019-0014—Michael Well Pad  
Applicant R.E. Gas Development, LLC  
Contact Michael Endler  
Address 600 Cranberry Woods Drive  
City Cranberry State PA Zip Code 16066  
County Butler Township(s) Cranberry(s)  
Receiving Stream(s) and Classification(s) UNT of Connoquenessing Creek WWF, Slippery Rock Creek Watershed, Connoquenessing Creek WWF

ESCGP-1 #ESG14-019-0026  
Applicant EM Energy Pennsylvania, LLC.  
Contact Hugh Caperton  
Address 601 Technology Drive, Suite 300  
City Canonsburg State PA Zip Code 15317-9523  
County Butler Township(s) Oakland & Concord(s)  
Receiving Stream(s) and Classification(s) Tributary 35325 to Connoquenessing Creek, Tributary 35321 to Connoquenessing Creek, Connoquenessing Creek WWF.  
Secondary Receiving Water Connoquenessing Creek.

ESCGP-1 #ESX14-073-0011  
Applicant Hilcorp Energy Company, LLC  
Contact Ms. Stephanie McMurray  
Address 1201 Louisiana Street, Suite 1400  
City Houston State TX Zip Code 77002  
County Lawrence Township(s) Hickory(s)  
Receiving Stream(s) and Classification(s) Hottenbaugh Run TSF,  
Secondary Receiving Water Neshannock Creek TSF

*Eastern Region: Oil & Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701*

ESCGP-1 # ESG13-081-0047 (01)  
Applicant Name Pennsylvania General Energy Company, LLC  
Contact Person Doug Kuntz  
Address 120 Market Street  
City, State, Zip Warren, PA 16365  
County Lycoming County Township(s) Cummings Township  
Receiving Stream(s) and Classification(s) Ritter Run (CWF, HQ-EV), Pine Creek (CWF, HQ-EV, TSF);  
Secondary: Tarkiln Run (EV)

ESCGP-1 # ESG29-081-14-0008  
Applicant Name Inflection Energy LLC  
Contact Person Thomas Gillespie

Address 1099 18th Street, Suite 3100  
City, State, Zip Denver Co 80202  
County Lycoming County  
Township(s) Upper Fairfield Township  
Receiving Stream(s) and Classification(s) UNT to Loyalsock Creek (EV), Mill Creek (TSF);  
Secondary: Loyalsock Creek (EV)

ESCGP-1 # ESX29-115-14-0041  
Applicant Name PVR NEPA Gas Gathering, LLC  
Contact Person Nicholas Bryan  
Address 101 W Third Street  
City, State, Zip Williamsport, PA 17701  
County Susquehanna County  
Township(s) Springville Township  
Receiving Stream(s) and Classification(s) UNTs to White Creek (CWF/MF), Thomas Creek (CWF/MF)

ESCGP-1 # ESG29-115-14-0028  
Applicant Name Talisman Energy USA, Inc.  
Contact Person Lance Ridall  
Address 337 Daniel Zenker Drive  
City, State, Zip Horseheads, NY 14845  
County Susquehanna County Township(s) Borough of Little Meadows and Apolaccon Township  
Receiving Stream(s) and Classification(s) Apalachin Creek, UNTs to Apalachin Creek (CWF/MF), Cork Hill Creek (HQ-CWF);  
Secondary: Susquehanna River (WWF/MF), Apalachin Creek (CWF/MF); Apalachin Creek and Cork Hill Creek Are also classified as Wild Trout

ESCGP-1 # ESX29-115-14-0040  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Randy DeLaune  
Address 100 Ist Center  
City, State, Zip Horseheads, NY 14845  
County Susquehanna County Township(s) Auburn Township  
Receiving Stream(s) and Classification(s) Nick Creek, Dority Creek and Little Meshoppen Creek (CWF);  
Secondary: Meshoppen Creek, Riley Creek

ESCGP-1 # ESX29-115-14-0018 (01)  
Applicant Name Carrizo Marcellus, LLC  
Contact Person Gary Byron  
Address 251 Drain Lick Road  
City, State, Zip Drifting, PA 16834  
County Susquehanna County Township(s) Forest Lake Township



Receiving Stream(s) and Classification(s) UNT to Middle Branch Wyalusing Creek (CWF)

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA*

ESCGP-2 No: ESX10-051-0042 Major Revision  
Applicant Name: Chevron Appalachia LLC  
Contact Person Mr Branden Weimer  
Address: 800 Mountain View Drive  
City: Smithfield State: PA Zip Code: 15478  
County: Fayette Township: Dunbar  
Receiving Stream (s) And Classifications: UNT Rankin Run, WWF/Monongahela River Watershed; Other WWF

ESCGP-2 No.: ESX11-051-0027  
Applicant Name: Chevron Appalachia LLC  
Contact Person: Mr Branden Weimer  
Address: 800 Mountain View Drive  
City: Smithfield State: PA Zip Code: 15478  
County: Fayette Township(s): Jefferson, Washington  
Receiving Stream(s) and Classifications: UNTs to Little Redstone Creek / Middle Monongahela River Watershed; Other WWF

ESCGP-2 No.: ESX13-125-0027  
Applicant Name: Rice Drilling B LLC  
Contact Person: Mr Joe Mallow  
Address: 171 Hillpointe Drive Suite 301  
City: Canonsburg State: PA Zip Code: 15317  
County: Washington Township(s): Somerset  
Receiving Stream(s) and Classifications: One (1) UNT to Pigeon Creek; Other Warm Water Fishes (WWF)

ESCGP-2 No.: ESX11-063-0001  
Applicant Name: CNX Gas Company LLC  
Contact Person: Ms Melissa A Smith  
Address: 280 Indian Springs Road Suite 333  
City: Indiana State: PA Zip Code: 15701  
County: Indiana Township(s): Young  
Receiving Stream(s) and Classifications: Nesbit Run, UNT to Nesbit Run, Tributary 43217 to Whisky Run/ Nesbit Run and Whisky Run Watersheds; Other CWF

ESCGP-2 No.: ESX13-005-0006  
Applicant Name: PennEnergy Resources LLC  
Contact Person: Mr Robert Crissinger  
Address: 1000 Commerce Drive Park Place One Suite 100  
City: Pittsburgh State: PA Zip Code: 15275  
COUNTY Armstrong Township(s): West Franklin  
Receiving Stream(s) and Classifications: UNT to Buffalo Creek / Buffalo Creek; HQ; Other HQ-TSF

ESCGP-2 No.: ESX13-059-0018  
Applicant Name: EQT Production Company  
Contact Person: Mr Todd Klaner  
Address: 455 Racetrack Road  
City: Washington State: PA Zip Code: 15301  
County: Greene Township(s): Washington  
Receiving Stream(s) and Classifications: UNT to Boyd Run; Other WWF

## SPECIAL NOTICES

### Drinking Water State Revolving Fund Special Notice

#### Special Notice Under the federal Safe Drinking Water Act (42 U.S.C.A. § 300f, et. seq.)

*Northcentral Region: Safe Drinking Water Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448*

#### Project Location:

Applicant	Applicant Address	County
Williamsport Municipal Water Authority (WMWA)	253 West Fourth Street Williamsport PA 17701	Lycoming

**Project Description:** The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. WMWA is proposing to construct a pump station, a 500,000 gallon finished water storage tank, approximately four miles of 8" and 12" water main in South Williamsport and Armstrong Township. Also WMWA is proposing to construct/replace approximately one mile of existing water main with 12" DIP water main along Four Mile Drive and Lafayette Parkway in Loyalsock Township. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impacts resulting from this proposal. The Department hereby approves the Environmental Assessment.

#### Categorical Exclusion

*Northcentral Regional Office, Safe Drinking Water Program Manager, Suite 101, 208 West Third Street, Williamsport, PA 17701-6448.*

*Clearfield Municipal Authority, Location: 107 East Market Street, Clearfield, PA 16830-2405.*

**Description:** The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Authority proposes to replace approximately 3,600 ft. of 4" waterline with 6" waterline from Mount Joy Road/Goshen Road traveling south to the intersection of Mount Joy Road/Buckhorn Drive. The waterline will be installed adjacent to the existing waterline along the Mount Joy Road right of way and will be installed via the directional drill method. The Department's review of the project concluded that the project is eligible to be categorically excluded from the environmental review process, and a subsequent public review confirmed that there are no exceptional circumstances that warrant an Environmental Assessment.

[Pa.B. Doc. No. 14-1098. Filed for public inspection May 23, 2014, 9:00 a.m.]

#### Bid Opportunity

**DGS 183-09 (DEP C33-02), Rehabilitation of Flood Protection Project, Brockway Borough Levee Drainage Structure, Borough of Brockway, Jefferson County.** The principal items of work and approximate quantities include mobilization and demobilization; stream diversion and dewatering; erosion and sedimentation controls; salvaging existing flap gates; clearing and grubbing; striping 3,170 square yards; excavation 4,800 cubic yards; unclassified fill 25 cubic yards; rolled embankment 1,250 cubic yards; compacted backfill 1,520 cubic yards; flowable backfill concrete cradle 400 cubic yards; flowable backfill 20 square yards; grouted R-5 rip rap 620 square yards; reinforced concrete structures 310 cubic yards; sand and gravel filter 450 cubic yards; reinforced concrete pipe 1,287 linear feet; corrugated polyethylene pipe and endwalls 72 linear feet; flap gates 26 each; barricades 5 each; precast drainage inlet 6 vertical feet; precast reinforced concrete manhole 16

vertical feet; topsoil 365 cubic yards; seeding; steel inlet grates 11 each; ladder rungs 75 each; closed circuit television inspection; and maintain traffic control. This bid issues on May 23, 2014, and bids will be opened on July 15, 2014, at 2 p.m. A mandatory prebid is scheduled for Tuesday, June 17, 2014, at 10 a.m. Bid documents cost \$15 per set and will not be mailed until payment has been received. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1099. Filed for public inspection May 23, 2014, 9:00 a.m.]

**Clean Air Interstate Rule; Proposed 2018 Annual and Ozone Season CAIR Nitrogen Oxides Allowance Allocations; Proposed Extension of CAIR Nitrogen Oxides Set Aside Program for Offsetting Sulfur Dioxide Emissions; Proposed Redistribution of 2012 Allowances for Certain Facilities**

In accordance with 25 Pa. Code §§ 145.211(d) and 145.221(d) (relating to timing requirements for CAIR NO<sub>x</sub> allowance allocations; and timing requirements for CAIR NO<sub>x</sub> Ozone Season allowance allocations), the Department of Environmental Protection (Department) is providing notice and an opportunity to comment on the proposed 2018 annual and ozone season Clean Air Interstate Rule (CAIR) nitrogen oxides (NO<sub>x</sub>) allowance allocations.

The proposed NO<sub>x</sub> allowances for 2018 are being allocated in accordance with procedures specified in 25 Pa. Code §§ 145.212 and 145.222 (relating to CAIR NO<sub>x</sub> allowance allocations; and CAIR NO<sub>x</sub> Ozone Season allowance allocations).

The Commonwealth's 2018 NO<sub>x</sub> budget for the annual CAIR program contains 82,541 NO<sub>x</sub> allowances; 81,389 NO<sub>x</sub> allowances are proposed for allocation. Notice of proposal for 79 vintage year 2018 allowances to new units was published at 44 Pa.B. 1833 (March 22, 2014).

In this notice, the Department is proposing to extend the set aside program described in 25 Pa. Code § 145.212(f)(2)–(4) to include a set aside of 2018 vintage year CAIR NO<sub>x</sub> allowances. The Department is taking comment on the proposed extension in accordance with 25 Pa. Code § 145.212(f)(5). The Department is proposing to maintain the 1.3% set aside for future allocation of additional CAIR NO<sub>x</sub> allowances to offset sulfur dioxide (SO<sub>2</sub>) emissions to units exempted by section 405(g)(6)(A) of the Clean Air Act (42 U.S.C.A. § 7651d(g)(6)(A)). This extension is appropriate in light of the continued implementation of the CAIR program that has resulted from an appellate court vacating the Federal Cross State Air Pollution Rule (CSAPR) on August 21, 2012, in *EME Homer City Generation, L.P. v. EPA*, D.C. Cir. 11-1302. While the Supreme Court of the United States reversed the lower court's vacatur of CSAPR and remanded the case to the appellate court on April 29, 2014, in *EPA v. EME Homer City Generation, U.S.*, No. 12-1182, CAIR remains in place until further direction is provided. The CSAPR was the United States Environmental Protection Agency's intended replacement for the CAIR rule. The allocation of additional NO<sub>x</sub> allowances to offset SO<sub>2</sub>

emissions may be extended after a 30-day public comment period provided in accordance with 25 Pa. Code § 145.212(f)(5).

The Commonwealth's 2018 NO<sub>x</sub> budget for the ozone season CAIR program contains 35,143 NO<sub>x</sub> allowances; 35,109 CAIR ozone season NO<sub>x</sub> allowances are proposed for allocation. Notice of proposal for 34 allowances to new units was published at 44 Pa.B. 1833.

In accordance with 25 Pa. Code § 145.212(c) and (f)(4), the Department is proposing to distribute 525 vintage 2012 annual NO<sub>x</sub> allowances that remained after the Department's allocations last year to units exempted under the Federal Acid Rain Program provisions in section 405(g)(6)(A) of the Clean Air Act but not exempted from the CAIR requirements. See 43 Pa.B. 1659 (March 23, 2013), 43 Pa.B. 2677 (May 11, 2013) and 43 Pa.B. 5660 (September 21, 2013). The Department is taking comment on this proposed redistribution of allowances.

For each CAIR unit and qualifying resource receiving a NO<sub>x</sub> allocation, Tables 1 and 2 as follows list the following: facility name; county; ORIS Code; unit ID; either the gross loading, steam loading, useful thermal energy, and/or total heat energy of steam, converted heat input from the base year, and proposed 2018 annual allowance allocation or proposed 2018 ozone season allowance allocation.

Table 3 lists each CAIR unit and qualifying resource that is proposed to be allocated vintage 2012 NO<sub>x</sub> allowances from the 525 allowances that remained after the 2013 allocation to the units exempted from the Acid Rain Program.

Owners and operators of units should be aware that CAIR NO<sub>x</sub> allowances and CAIR NO<sub>x</sub> Ozone Season allowances do not constitute property rights, and that action at the Federal or State level, including Federal court proceedings in the legal challenges to the CSAPR, could affect these allocations, once final.

*Written Comments*

Written comments on the proposed annual and ozone season CAIR NO<sub>x</sub> allowance allocations for 2018, proposed extension of the CAIR NO<sub>x</sub> set aside program and proposed redistribution of 2012 allowances should be sent to the attention of Randy Bordner, Environmental Group Manager, Air Resource Management Division, Bureau of Air Quality, Department of Environmental Protection, P. O. Box 8468, Harrisburg, PA 17105-8468 or ranbordner@pa.gov no later than June 23, 2014. Written comments (including e-mails) should include the name, affiliation (if any), mailing address and telephone number of the interested person and contain "Proposed 2018 Annual and Ozone Season CAIR NO<sub>x</sub> Allowance Allocations," "Extension of CAIR NO<sub>x</sub> Set Aside Program for SO<sub>2</sub> Emissions" or "Proposed Redistribution of 2012 Vintage Allowances" in the subject line.

Questions concerning this notice should be directed to Randy Bordner at (717) 772-3921. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Secretary*

Table 1: Proposed 2018 CAIR NO<sub>x</sub> Annual Allowance Allocation

FACILITY NAME	COUNTY	ORIS CODE	UNIT ID	GROSS LOAD (Megawatt Hours)	STEAM LOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU)	2012 Converted Heat Input mmBTU	Proposed 2018 CAIR NO <sub>x</sub> Allowance Allocation
AES Beaver Valley LLC	Beaver	10676	32	-	-	4,293,346.00	-	5,366,682.50	396
AES Beaver Valley LLC	Beaver	10676	33	-	-	4,293,246.00	-	5,366,557.50	395
AES Beaver Valley LLC	Beaver	10676	34	-	-	4,065,998.00	-	5,082,497.50	375
AES Beaver Valley LLC	Beaver	10676	35	-	-	1,998,167.00	-	2,497,708.75	184
Springdale Power Station (AE Units 1 & 2)	Allegheny	55196	1	19,091.00	-	-	-	127,432.43	9
Springdale Power Station (AE Units 1 & 2)	Allegheny	55196	2	18,232.00	-	-	-	121,698.60	9
Springdale Power Station (AE Units 3 & 4)	Allegheny	55710	3	1,092,429.00	-	-	-	7,291,963.58	537
Springdale Power Station (AE Units 3 & 4)	Allegheny	55710	4	995,244.00	-	-	-	6,643,253.70	490
Gans Power Station (AE Units 8 & 9)	Fayette	55377	8	18,270.00	-	-	-	121,952.25	9
Gans Power Station (AE Units 8 & 9)	Fayette	55377	9	18,426.00	-	-	-	122,993.55	9
Armstrong Energy Ltd Partnership, LLP	Armstrong	55347	1	44,250.00	-	-	-	295,368.75	22
Armstrong Energy Ltd Partnership, LLP	Armstrong	55347	2	42,466.33	-	-	-	283,462.75	21
Armstrong Energy Ltd Partnership, LLP	Armstrong	55347	3	50,496.01	-	-	-	337,060.87	25
Armstrong Energy Ltd Partnership, LLP	Armstrong	55347	4	50,902.00	-	-	-	339,770.85	25
Armstrong Power Station	Armstrong	3178	1	281,861.37	-	-	-	2,226,704.82	164
Armstrong Power Station	Armstrong	3178	2	91,853.02	-	-	-	725,638.86	53
Bethlehem Power Plant	Northampton	55690	1	885,659.23	-	-	-	5,911,775.36	436
Bethlehem Power Plant	Northampton	55690	2	892,716.26	-	-	-	5,958,881.04	439
Bethlehem Power Plant	Northampton	55690	3	904,488.30	-	-	-	6,037,459.40	445
Bethlehem Power Plant	Northampton	55690	5	897,606.30	-	-	-	5,991,522.05	442
Bethlehem Power Plant	Northampton	55690	6	921,416.74	-	-	-	6,150,456.74	453
Bethlehem Power Plant	Northampton	55690	7	921,806.36	-	-	-	6,153,057.45	453
Bruce Mansfield	Beaver	6094	1	6,100,565.00	-	-	-	48,194,463.50	3,552
Bruce Mansfield	Beaver	6094	2	6,209,627.00	-	-	-	49,056,053.30	3,615

Table 1: Proposed 2018 CAIR NO<sub>x</sub> Annual Allowance Allocation

FACILITY NAME	COUNTY	ORIS CODE	UNIT ID	GROSS LOAD (Megawatt Hours)	STEAM LOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU)	2012 Converted Heat Input mmBTU	Proposed 2018 CAIR NO <sub>x</sub> Allowance Allocation
Bruce Mansfield	Beaver	6094	3	6,680,852.00	-	-	-	52,778,730.80	3,890
Brunner Island	York	3140	1	1,119,135.00	-	-	-	8,841,166.50	652
Brunner Island	York	3140	2	2,082,814.00	-	-	-	16,454,230.60	1,213
Brunner Island	York	3140	3	3,333,354.00	-	-	-	26,333,496.60	1,941
Brunot Island Power Station	Allegheny	3096	2A	6,848.29	-	-	-	45,712.34	3
Brunot Island Power Station	Allegheny	3096	2B	11,412.12	-	-	-	76,175.90	6
Brunot Island Power Station	Allegheny	3096	3	9,586.59	-	-	-	63,990.49	5
Cambria Cogen	Cambria	10641	1	-	-	5,016,665.05	-	6,270,831.31	462
Cambria Cogen	Cambria	10641	2	-	-	5,016,873.85	-	6,271,092.31	462
Chambersburg Units 12 & 13	Franklin	55654	12	28,714.00	-	-	-	191,665.95	14
Chambersburg Units 12 & 13	Franklin	55654	13	27,352.00	-	-	-	182,574.60	13
Cheswick	Allegheny	8226	1	2,652,930.94	-	-	-	20,958,154.43	1,545
Colver Power Project	Cambria	10143	AAB01	1,000,623.00	-	-	-	7,904,921.70	583
Conemaugh	Indiana	3118	1	5,594,629.35	-	-	-	44,197,571.87	3,257
Conemaugh	Indiana	3118	2	5,781,428.20	-	-	-	45,673,282.78	3,366
Croydon Generating Station	Bucks	8012	11	753.00	-	-	-	5,026.28	-
Croydon Generating Station	Bucks	8012	12	839.00	-	-	-	5,600.33	-
Croydon Generating Station	Bucks	8012	21	739.00	-	-	-	4,932.83	-
Croydon Generating Station	Bucks	8012	22	452.00	-	-	-	3,017.10	-
Croydon Generating Station	Bucks	8012	31	503.00	-	-	-	3,357.53	-
Croydon Generating Station	Bucks	8012	32	605.00	-	-	-	4,038.38	-
Croydon Generating Station	Bucks	8012	41	166.00	-	-	-	1,108.05	-
Croydon Generating Station	Bucks	8012	42	291.00	-	-	-	1,942.43	-
Duke Energy Fayette, II LLC	Fayette	55516	CTG1	2,195,886.00	-	-	-	14,657,539.05	1,080
Duke Energy Fayette, II LLC	Fayette	55516	CTG2	2,208,874.00	-	-	-	14,744,233.95	1,087



Table 1: Proposed 2018 CAIR NO<sub>x</sub> Annual Allowance Allocation

FACILITY NAME	COUNTY	ORIS CODE	UNIT ID	GROSS LOAD (Megawatt Hours)	STEAM LOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU)	2012 Converted Heat Input mmBTU	Proposed 2018 CAIR NO <sub>x</sub> Allowance Allocation
Ebensburg Power Company	Cambria	10603	31	-	-	4,611,649.00	-	5,764,561.25	425
Eddystone Generating Station	Delaware	3161	2	-	-	-	-	-	-
Eddystone Generating Station	Delaware	3161	3	33,950.00	-	-	-	226,616.25	17
Eddystone Generating Station	Delaware	3161	4	59,416.00	-	-	-	396,601.80	29
Elrama	Washington	3098	1	-	-	-	-	-	-
Elrama	Washington	3098	2	10,668.29	-	-	-	84,279.49	6
Elrama	Washington	3098	3	9,483.91	-	-	-	74,922.89	6
Elrama	Washington	3098	4	87,434.56	-	-	-	690,733.02	51
FPL Energy Marcus Hook, LP	Delaware	55801	1	1,110,475.59	-	-	-	7,412,424.56	546
FPL Energy Marcus Hook, LP	Delaware	55801	2	1,047,925.06	-	-	-	6,994,899.78	516
FPL Energy Marcus Hook, LP	Delaware	55801	3	1,007,642.48	-	-	14,132.10	3,456,748.91	255
Fairless Energy, LLC	Bucks	55298	1A	2,105,697.75	-	-	-	14,055,532.48	1,036
Fairless Energy, LLC	Bucks	55298	1B	2,172,268.25	-	-	-	14,499,890.57	1,069
Fairless Energy, LLC	Bucks	55298	2A	2,045,589.15	-	-	-	13,654,307.58	1,006
Fairless Energy, LLC	Bucks	55298	2B	2,078,220.85	-	-	-	13,872,124.17	1,022
Fairless Hills Generating Station	Bucks	7701	PHBLR4	173,689.00	-	-	-	1,159,374.08	85
Fairless Hills Generating Station	Bucks	7701	PHBLR5	64,305.00	-	-	-	429,235.88	32
Gilberton Power Company	Schuylkill	10113	31	-	2,021,661.01	-	-	2,439,260.36	180
Gilberton Power Company	Schuylkill	10113	32	-	2,041,339.80	-	-	2,463,004.05	182
Grays Ferry Cogen Partnership	Philadelphia	54785	2	664,995.99	-	-	3,275,986.23	6,364,614.10	469
Grays Ferry Cogen Partnership	Philadelphia	54785	25	-	-	2,087,576.00	-	2,609,470.00	192
Handsomeness Lake Energy	Venango	55233	EU-1A	11,377.00	-	-	-	75,941.48	6
Handsomeness Lake Energy	Venango	55233	EU-1B	11,359.00	-	-	-	75,821.33	6
Handsomeness Lake Energy	Venango	55233	EU-2A	10,980.00	-	-	-	73,291.50	5
Handsomeness Lake Energy	Venango	55233	EU-2B	10,951.00	-	-	-	73,097.93	5
Handsomeness Lake Energy	Venango	55233	EU-3A	11,207.00	-	-	-	74,806.73	6
Handsomeness Lake Energy	Venango	55233	EU-3B	11,267.00	-	-	-	75,207.23	6

Table 1: Proposed 2018 CAIR NO<sub>x</sub> Annual Allowance Allocation

FACILITY NAME	COUNTY	ORIS CODE	UNIT ID	GROSS LOAD (Megawatt Hours)	STEAM LOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU)	2012 Converted Heat Input mmBTU	Proposed 2018 CAIR NO <sub>x</sub> Allowance Allocation
Handsome Lake Energy	Venango	55233	EU-4A	13,134.00	-	-	-	87,669.45	6
Handsome Lake Energy	Venango	55233	EU-4B	13,157.00	-	-	-	87,822.98	6
Handsome Lake Energy	Venango	55233	EU-5A	11,887.00	-	-	-	79,345.73	6
Handsome Lake Energy	Venango	55233	EU-5B	11,850.00	-	-	-	79,098.75	6
Hatfield's Ferry Power Station	Greene	3179	1	3,305,126.40	-	-	-	26,110,498.56	1,924
Hatfield's Ferry Power Station	Greene	3179	2	3,525,679.88	-	-	-	27,852,871.05	2,053
Hatfield's Ferry Power Station	Greene	3179	3	3,664,922.88	-	-	-	28,952,890.75	2,134
Hazleton Generation	Luzerne	10870	TURB2	498.50	-	-	-	3,327.49	-
Hazleton Generation	Luzerne	10870	TURB3	500.06	-	-	-	3,337.90	-
Hazleton Generation	Luzerne	10870	TURB4	480.81	-	-	-	3,209.41	-
Hazleton Generation	Luzerne	10870	TURBIN	1,072.63	-	-	-	7,159.81	1
Homer City	Indiana	3122	1	3,115,946.24	-	-	-	24,615,975.30	1,814
Homer City	Indiana	3122	2	3,674,055.85	-	-	-	29,025,041.22	2,139
Homer City	Indiana	3122	3	3,778,172.46	-	-	-	29,847,562.43	2,200
Hunlock Creek Energy Center	Luzerne	3176	CT5	238,366.00	-	-	-	1,591,093.05	117
Hunlock Creek Energy Center	Luzerne	3176	CT6	141,310.00	-	-	-	943,244.25	70
Hunlock Unit 4	Luzerne	56397	4	4,732.00	-	-	-	31,586.10	2
Hunterstown Combined Cycle	Adams	55976	CT101	1,545,814.69	-	-	-	10,318,313.06	760
Hunterstown Combined Cycle	Adams	55976	CT201	1,347,441.57	-	-	-	8,994,172.48	663
Hunterstown Combined Cycle	Adams	55976	CT301	1,565,785.74	-	-	-	10,451,619.81	770
Keystone	Armstrong	3136	1	5,503,604.42	-	-	-	43,478,474.92	3,204
Keystone	Armstrong	3136	2	4,718,661.87	-	-	-	37,277,428.77	2,747
Liberty Electric Power Plant	Delaware	55231	1	1,949,524.26	-	-	-	13,013,074.44	959
Liberty Electric Power Plant	Delaware	55231	2	1,953,366.74	-	-	-	13,038,722.99	961
Lower Mount Bethel Energy	Northampton	55667	CT01	1,515,872.89	-	-	-	10,118,451.54	746
Lower Mount Bethel Energy	Northampton	55667	CT02	1,837,937.01	-	-	-	12,268,229.54	904
Martins Creek	Northampton	3148	3	804,114.00	-	-	-	5,367,460.95	396

Table 1: Proposed 2018 CAIR NO<sub>x</sub> Annual Allowance Allocation

FACILITY NAME	COUNTY	ORIS CODE	UNIT ID	GROSS LOAD (Megawatt Hours)	STEAM LOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU)	2012 Converted Heat Input mmBTU	Proposed 2018 CAIR NO <sub>x</sub> Allowance Allocation
Martins Creek	Northampton	3148	4	965,016.00	-	-	-	6,441,481.80	475
Mitchell Power Station	Washington	3181	1	750.51	-	-	-	5,009.65	-
Mitchell Power Station	Washington	3181	2	-	-	-	-	-	-
Mitchell Power Station	Washington	3181	3	751.80	-	-	-	5,018.27	-
Mitchell Power Station	Washington	3181	33	1,267,322.25	-	-	-	10,011,845.78	738
Montour	Montour	3149	1	4,280,225.50	-	-	-	33,813,781.45	2,492
Montour	Montour	3149	2	4,281,518.00	-	-	-	33,823,992.20	2,493
Mountain	Cumberland	3111	31	2,338.00	-	-	-	15,606.15	1
Mountain	Cumberland	3111	32	3,708.00	-	-	-	24,750.90	2
Mt. Carmel Cogeneration	Northumberland	10343	SG-101	-	-	1,263,805.00	-	1,579,756.25	116
New Castle	Lawrence	3138	3	129,847.17	-	-	-	1,025,792.64	76
New Castle	Lawrence	3138	4	123,226.20	-	-	-	973,486.98	72
New Castle	Lawrence	3138	5	159,448.86	-	-	-	1,259,645.99	93
North East Cogeneration Plant	Erie	54571	1	-	-	-	-	-	-
North East Cogeneration Plant	Erie	54571	2	-	-	-	-	-	-
Northampton Generating Plant	Northampton	50888	NGC01	1,030,307.00	-	-	-	8,139,425.30	600
Northeastern Power Company	Schuylkill	50039	31	430,813.00	-	-	-	3,403,422.70	251
Ontelaunee Energy Center	Berks	55193	CT1	1,730,989.00	-	-	-	11,554,351.58	852
Ontelaunee Energy Center	Berks	55193	CT2	1,770,640.00	-	-	-	11,819,022.00	871
PEI Power Corporation	Lackawanna	50279	2	20,351.00	-	-	-	135,842.93	10
PPL Ironwood, LLC	Lebanon	55337	1	2,017,919.00	-	-	-	13,469,609.33	993
PPL Ironwood, LLC	Lebanon	55337	2	2,462,480.00	-	-	-	16,437,054.00	1,211
Panther Creek Energy Facility	Carbon	50776	1	373,990.00	-	-	-	2,954,521.00	218
Panther Creek Energy Facility	Carbon	50776	2	372,320.00	-	-	-	2,941,328.00	217
Piney Creek Power Plant	Clarion	54144	31	302,715.00	-	-	-	2,391,448.50	176
Portland	Northampton	3113	1	58,642.63	-	-	-	463,276.78	34
Portland	Northampton	3113	2	114,121.41	-	-	-	901,559.14	66
Portland	Northampton	3113	5	1,150.99	-	-	-	7,682.86	1
Richmond	Philadelphia	3168	91	728.00	-	-	-	4,859.40	-

Table 1: Proposed 2018 CAIR NO<sub>x</sub> Annual Allowance Allocation

FACILITY NAME	COUNTY	ORIS CODE	UNIT ID	GROSS LOAD (Megawatt Hours)	STEAM LOAD (Thousands of Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU)	2012 Converted Heat Input mmBTU	Proposed 2018 CAIR NO <sub>x</sub> Allowance Allocation
Richmond	Philadelphia	3168	92	904.00	-	-	-	6,034.20	-
Schuylkill	Philadelphia	3169	1	408.00	-	-	-	2,723.40	-
Scrubgrass Generating Plant	Venango	50974	1	392,664.75	-	-	-	3,102,051.53	229
Scrubgrass Generating Plant	Venango	50974	2	395,181.25	-	-	-	3,121,931.88	230
Seward	Indiana	3130	1	875,841.12	-	-	-	6,919,144.85	510
Seward	Indiana	3130	2	1,239,841.88	-	-	-	9,794,750.85	722
Shawville	Clearfield	3131	1	240,154.17	-	-	-	1,897,217.94	140
Shawville	Clearfield	3131	2	292,316.63	-	-	-	2,309,301.38	170
Shawville	Clearfield	3131	3	507,397.16	-	-	-	4,008,437.56	295
Shawville	Clearfield	3131	4	469,324.45	-	-	-	3,707,663.16	273
St. Nicholas Cogeneration Project	Schuylkill	54634	1	815,960.00	-	-	-	6,446,084.00	475
Sunbury	Snyder	3152	1A	34,978.00	-	-	-	276,326.20	20
Sunbury	Snyder	3152	1B	34,807.00	-	-	-	274,975.30	20
Sunbury	Snyder	3152	2A	22,864.00	-	-	-	180,625.60	13
Sunbury	Snyder	3152	2B	-	-	-	-	-	-
Sunbury	Snyder	3152	3	65,298.00	-	-	-	515,854.20	38
Sunbury	Snyder	3152	4	24,405.00	-	-	-	192,799.50	14
Titus	Berks	3115	1	38,838.98	-	-	-	306,827.94	23
Titus	Berks	3115	2	31,246.60	-	-	-	246,848.14	18
Titus	Berks	3115	3	38,560.49	-	-	-	304,627.87	22
Tolna	York	3116	31	581.00	-	-	-	3,878.18	-
Tolna	York	3116	32	521.00	-	-	-	3,477.68	-
Veolia Energy Philadelphia - Schuylkill	Philadelphia	50607	23	-	-	15,565.00	-	19,456.25	1
Veolia Energy Philadelphia - Schuylkill	Philadelphia	50607	24	-	-	-	-	-	-
Veolia Energy Philadelphia - Schuylkill	Philadelphia	50607	26	-	-	552,674.00	-	690,842.50	51
WPS Westwood Generation, LLC	Schuylkill	50611	31	227,082.00	-	-	-	1,793,947.80	132
Warren	Warren	3132	5	6,825.00	-	-	-	45,556.88	3
Wheelabrator - Frackville	Schuylkill	50879	GEN1	-	3,388,815.08	-	-	4,088,817.19	301
York Energy Center	York	55524	1	1,190,430.00	-	-	-	7,946,120.25	586



Table 1: Proposed 2018 CAIR NO<sub>x</sub> Annual Allowance Allocation

FACILITY NAME	COUNTY	ORIS CODE	UNIT ID	GROSS LOAD (Megawatt Hours)	STEAM LOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU)	2012 Converted Heat Input mmBTU	Proposed 2018 CAIR NO <sub>x</sub> Allowance Allocation
York Energy Center	York	55524	2	1,189,579.00	-	-	-	7,940,439.83	585
York Energy Center	York	55524	3	1,171,950.00	-	-	-	7,822,766.25	577
								1,104,396,360.11	81,389

Table 2: Proposed 2018 CAIR NO<sub>x</sub> Ozone Season Allowance Allocation

FACILITY NAME	COUNTY	ORIS CODE	UNIT ID	GROSS LOAD (Megawatt Hours)	STEAM LOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU)	2012 Converted Heat Input mmBTU	Calculated 2018 CAIR NO <sub>x</sub> Ozone Season Allowance Allocation
AES Beaver Valley LLC	Beaver	10676	32	-	-	1,775,255.00	-	2,219,068.75	156
AES Beaver Valley LLC	Beaver	10676	33	-	-	1,750,994.00	-	2,188,742.50	154
AES Beaver Valley LLC	Beaver	10676	34	-	-	1,610,812.00	-	2,013,515.00	141
AES Beaver Valley LLC	Beaver	10676	35	-	-	810,728.00	-	1,013,410.00	71
Springdale Power Station (AE Units 1 & 2)	Allegheny	55196	1	14,726.00	-	-	-	98,296.05	7
Springdale Power Station (AE Units 1 & 2)	Allegheny	55196	2	14,013.00	-	-	-	93,536.78	7
Springdale Power Station (AE Units 3 & 4)	Allegheny	55710	3	479,733.00	-	-	-	3,202,217.78	225
Springdale Power Station (AE Units 3 & 4)	Allegheny	55710	4	486,467.00	-	-	-	3,247,167.23	228
Gans Power Station (AE Units 8 & 9)	Fayette	55377	8	14,271.00	-	-	-	95,258.93	7
Gans Power Station (AE Units 8 & 9)	Fayette	55377	9	14,655.00	-	-	-	97,822.13	7
Armstrong Energy Ltd Partnership, LLP	Armstrong	55347	1	34,738.00	-	-	-	231,876.15	16
Armstrong Energy Ltd Partnership, LLP	Armstrong	55347	2	37,344.00	-	-	-	249,271.20	17
Armstrong Energy Ltd Partnership, LLP	Armstrong	55347	3	44,045.00	-	-	-	294,000.38	21
Armstrong Energy Ltd Partnership, LLP	Armstrong	55347	4	46,091.00	-	-	-	307,657.43	22
Armstrong Power Station	Armstrong	3178	1	225,696.01	-	-	-	1,782,998.48	125

Table 2: Proposed 2018 CAIR NO<sub>x</sub> Ozone Season Allowance Allocation

FACILITY NAME	COUNTY	ORIS CODE	UNIT ID	GROSS LOAD (Megawatt Hours)	STEAM LOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU)	2012 Converted Heat Input mmBTU	Calculated 2018 CAIR NO <sub>x</sub> Ozone Season Allowance Allocation
Armstrong Power Station	Armstrong	3178	2	16,664.97	-	-	-	131,653.26	9
Bethlehem Power Plant	Northampton	55690	1	388,077.91	-	-	-	2,590,420.05	182
Bethlehem Power Plant	Northampton	55690	2	388,569.56	-	-	-	2,593,701.81	182
Bethlehem Power Plant	Northampton	55690	3	397,659.47	-	-	-	2,654,376.96	186
Bethlehem Power Plant	Northampton	55690	5	372,839.05	-	-	-	2,488,700.66	175
Bethlehem Power Plant	Northampton	55690	6	377,388.35	-	-	-	2,519,067.24	177
Bethlehem Power Plant	Northampton	55690	7	370,458.40	-	-	-	2,472,809.82	174
Bruce Mansfield	Beaver	6094	1	2,351,495.00	-	-	-	18,576,810.50	1,303
Bruce Mansfield	Beaver	6094	2	2,824,337.00	-	-	-	22,312,262.30	1,565
Bruce Mansfield	Beaver	6094	3	2,915,815.00	-	-	-	23,034,938.50	1,616
Brunner Island	York	3140	1	665,918.00	-	-	-	5,260,752.20	369
Brunner Island	York	3140	2	926,247.00	-	-	-	7,317,351.30	513
Brunner Island	York	3140	3	1,554,863.00	-	-	-	12,283,417.70	862
Brunot Island Power Station	Allegheny	3096	2A	2,801.42	-	-	-	18,699.48	1
Brunot Island Power Station	Allegheny	3096	2B	5,336.08	-	-	-	35,618.33	2
Brunot Island Power Station	Allegheny	3096	3	4,797.50	-	-	-	32,023.31	2
Cambria Cogen	Cambria	10641	1	-	-	2,076,613.15	-	2,595,766.44	182
Cambria Cogen	Cambria	10641	2	-	-	2,145,905.75	-	2,682,382.19	188
Chambersburg Units 12 & 13	Franklin	55654	12	18,566.00	-	-	-	123,928.05	9
Chambersburg Units 12 & 13	Franklin	55654	13	18,164.00	-	-	-	121,244.70	9
Cheswick	Allegheny	8226	1	1,290,587.62	-	-	-	10,195,642.20	715
Colver Power Project	Cambria	10143	AAB01	432,079.00	-	-	-	3,413,424.10	239
Conemaugh	Indiana	3118	1	2,682,685.00	-	-	-	21,193,211.50	1,487
Conemaugh	Indiana	3118	2	2,650,579.00	-	-	-	20,939,574.10	1,469
Croydon Generating Station	Bucks	8012	11	753.00	-	-	-	5,026.28	-
Croydon Generating Station	Bucks	8012	12	839.00	-	-	-	5,600.33	-
Croydon Generating Station	Bucks	8012	21	710.00	-	-	-	4,739.25	-
Croydon Generating Station	Bucks	8012	22	452.00	-	-	-	3,017.10	-

Table 2: Proposed 2018 CAIR NO<sub>x</sub> Ozone Season Allowance Allocation

FACILITY NAME	COUNTY	ORIS CODE	UNIT ID	GROSS LOAD (Megawatt Hours)	STEAM LOAD (Thousands of Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU)	2012 Converted Heat Input mmBTU	Calculated 2018 CAIR NO <sub>x</sub> Ozone Season Allowance Allocation
Croydon Generating Station	Bucks	8012	31	473.00	-	-	-	3,157.28	-
Croydon Generating Station	Bucks	8012	32	605.00	-	-	-	4,038.38	-
Croydon Generating Station	Bucks	8012	41	166.00	-	-	-	1,108.05	-
Croydon Generating Station	Bucks	8012	42	291.00	-	-	-	1,942.43	-
Duke Energy Fayette, II LLC	Fayette	55516	CTG1	970,583.00	-	-	-	6,478,641.53	455
Duke Energy Fayette, II LLC	Fayette	55516	CTG2	977,099.00	-	-	-	6,522,135.83	458
Ebensburg Power Company	Cambria	10603	31	-	-	1,968,898.00	-	2,461,122.50	173
Eddystone Generating Station	Delaware	3161	2	-	-	-	-	-	-
Eddystone Generating Station	Delaware	3161	3	33,599.00	-	-	-	224,273.33	16
Eddystone Generating Station	Delaware	3161	4	55,864.00	-	-	-	372,892.20	26
Elrama	Washington	3098	1	-	-	-	-	-	-
Elrama	Washington	3098	2	4,389.08	-	-	-	34,673.73	2
Elrama	Washington	3098	3	5,453.08	-	-	-	43,079.33	3
Elrama	Washington	3098	4	60,317.80	-	-	-	476,510.62	33
FPL Energy Marcus Hook, LP	Delaware	55801	1	476,418.32	-	-	-	3,180,092.29	223
FPL Energy Marcus Hook, LP	Delaware	55801	2	470,651.51	-	-	-	3,141,598.83	220
FPL Energy Marcus Hook, LP	Delaware	55801	3	452,115.74	-	-	13,999.90	1,560,570.90	109
Fairless Energy, LLC	Bucks	55298	1A	967,823.60	-	-	-	6,460,222.53	453
Fairless Energy, LLC	Bucks	55298	1B	967,854.40	-	-	-	6,460,428.12	453
Fairless Energy, LLC	Bucks	55298	2A	928,929.24	-	-	-	6,200,602.68	435
Fairless Energy, LLC	Bucks	55298	2B	955,116.76	-	-	-	6,375,404.37	447
Fairless Hills Generating Station	Bucks	7701	PHBLR4	78,554.00	-	-	-	524,347.95	37
Fairless Hills Generating Station	Bucks	7701	PHBLR5	21,478.00	-	-	-	143,365.65	10
Gilberton Power Company	Schuylkill	10113	31	-	732,646.41	-	-	883,983.68	62

Table 2: Proposed 2018 CAIR NO<sub>x</sub> Ozone Season Allowance Allocation

FACILITY NAME	COUNTY	ORIS CODE	UNIT ID	GROSS LOAD (Megawatt Hours)	STEAM LOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU)	2012 Converted Heat Input mmBTU	Calculated 2018 CAIR NO <sub>x</sub> Ozone Season Allowance Allocation
Gilberton Power Company	Schuylkill	10113	32	-	741,103.56	-	-	894,187.76	63
Grays Ferry Cogen Partnership	Philadelphia	54785	2	351,275.00	-	-	1,507,202.00	3,082,904.08	216
Grays Ferry Cogen Partnership	Philadelphia	54785	25	-	-	502,054.00	-	627,567.50	44
Handsoma Lake Energy	Venango	55233	EU-1A	8,669.00	-	-	-	57,865.58	4
Handsoma Lake Energy	Venango	55233	EU-1B	8,669.00	-	-	-	57,865.58	4
Handsoma Lake Energy	Venango	55233	EU-2A	8,272.00	-	-	-	55,215.60	4
Handsoma Lake Energy	Venango	55233	EU-2B	8,243.00	-	-	-	55,022.03	4
Handsoma Lake Energy	Venango	55233	EU-3A	7,711.00	-	-	-	51,470.93	4
Handsoma Lake Energy	Venango	55233	EU-3B	7,769.00	-	-	-	51,858.08	4
Handsoma Lake Energy	Venango	55233	EU-4A	9,673.00	-	-	-	64,567.28	5
Handsoma Lake Energy	Venango	55233	EU-4B	9,716.00	-	-	-	64,854.30	5
Handsoma Lake Energy	Venango	55233	EU-5A	8,653.00	-	-	-	57,758.78	4
Handsoma Lake Energy	Venango	55233	EU-5B	8,618.00	-	-	-	57,525.15	4
Hatfield's Ferry Power Station	Greene	3179	1	1,571,433.47	-	-	-	12,414,324.41	871
Hatfield's Ferry Power Station	Greene	3179	2	1,492,213.32	-	-	-	11,788,485.23	827
Hatfield's Ferry Power Station	Greene	3179	3	1,545,240.15	-	-	-	12,207,397.19	857
Hazleton Generation	Luzerne	10870	TURB2	444.58	-	-	-	2,967.57	-
Hazleton Generation	Luzerne	10870	TURB3	438.45	-	-	-	2,926.65	-
Hazleton Generation	Luzerne	10870	TURB4	420.76	-	-	-	2,808.57	-
Hazleton Generation	Luzerne	10870	TURBIN	941.21	-	-	-	6,282.58	-
Homer City	Indiana	3122	1	1,552,060.69	-	-	-	12,261,279.45	860
Homer City	Indiana	3122	2	1,487,105.04	-	-	-	11,748,129.82	824
Homer City	Indiana	3122	3	1,415,238.84	-	-	-	11,180,386.84	784
Hunlock Creek Energy Center	Luzerne	3176	CT5	122,553.00	-	-	-	818,041.28	57
Hunlock Creek Energy Center	Luzerne	3176	CT6	89,994.00	-	-	-	600,709.95	42
Hunlock Unit 4	Luzerne	56397	4	2,793.00	-	-	-	18,643.28	1
Hunterstown Combined Cycle	Adams	55976	CT101	689,091.13	-	-	-	4,599,683.29	323
Hunterstown Combined Cycle	Adams	55976	CT201	585,372.57	-	-	-	3,907,361.90	274



Table 2: Proposed 2018 CAIR NO<sub>x</sub> Ozone Season Allowance Allocation

FACILITY NAME	COUNTY	ORIS CODE	UNIT ID	GROSS LOAD (Megawatt Hours)	STEAM LOAD (Thousands of Steam)	Useful Thermal Energy (mmBTU)	Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU)	2012 Converted Heat Input mmBTU	Calculated 2018 CAIR NO <sub>x</sub> Ozone Season Allowance Allocation
Hunterstown Combined Cycle	Adams	55976	CT301	721,363.30	-	-	-	4,815,100.03	338
Keystone	Armstrong	3136	1	2,685,579.71	-	-	-	21,216,079.71	1,489
Keystone	Armstrong	3136	2	2,352,215.94	-	-	-	18,582,505.93	1,304
Liberty Electric Power Plant	Delaware	55231	1	769,371.86	-	-	-	5,135,557.17	360
Liberty Electric Power Plant	Delaware	55231	2	776,852.14	-	-	-	5,185,488.03	364
Lower Mount Bethel Energy	Northampton	55667	CT01	677,993.09	-	-	-	4,525,603.88	318
Lower Mount Bethel Energy	Northampton	55667	CT02	885,742.41	-	-	-	5,912,330.59	415
Martins Creek	Northampton	3148	3	554,763.00	-	-	-	3,703,043.03	260
Martins Creek	Northampton	3148	4	646,551.00	-	-	-	4,315,727.93	303
Mitchell Power Station	Washington	3181	1	750.51	-	-	-	5,009.65	-
Mitchell Power Station	Washington	3181	2	-	-	-	-	-	-
Mitchell Power Station	Washington	3181	3	751.80	-	-	-	5,018.27	-
Mitchell Power Station	Washington	3181	33	721,506.97	-	-	-	5,699,905.06	400
Montour	Montour	3149	1	2,024,118.60	-	-	-	15,990,536.94	1,122
Montour	Montour	3149	2	1,993,619.00	-	-	-	15,749,590.10	1,105
Mountain	Cumberland	3111	31	1,294.00	-	-	-	8,637.45	1
Mountain	Cumberland	3111	32	1,581.00	-	-	-	10,553.18	1
Mt. Carmel Cogeneration	Northumberland	10343	SG-101	-	-	542,815.00	-	1,579,756.25	111
New Castle	Lawrence	3138	3	86,713.93	-	-	-	685,040.05	48
New Castle	Lawrence	3138	4	96,785.71	-	-	-	764,607.11	54
New Castle	Lawrence	3138	5	118,349.81	-	-	-	934,963.50	66
North East Cogeneration Plant	Erie	54571	1	-	-	-	-	-	-
North East Cogeneration Plant	Erie	54571	2	-	-	-	-	-	-
Northampton Generating Plant	Northampton	50888	NGC01	426,833.00	-	-	-	3,371,980.70	237
Northeastern Power Company	Schuylkill	50039	31	195,116.00	-	-	-	1,541,416.40	108
Ontelaunee Energy Center	Berks	55193	CT1	797,786.00	-	-	-	5,325,221.55	374
Ontelaunee Energy Center	Berks	55193	CT2	798,893.00	-	-	-	5,332,610.78	374

Table 2: Proposed 2018 CAIR NO<sub>x</sub> Ozone Season Allowance Allocation

FACILITY NAME	COUNTY	ORIS CODE	UNIT ID	GROSS LOAD (Megawatt Hours)	STEAM LOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU)	2012 Converted Heat Input mmBTU	Calculated 2018 CAIR NO <sub>x</sub> Ozone Season Allowance Allocation
PEI Power Corporation	Lackawanna	50279	2	16,330.00	-	-	-	109,002.75	8
PPL Ironwood, LLC	Lebanon	55337	1	795,456.90	-	-	-	5,309,674.81	373
PPL Ironwood, LLC	Lebanon	55337	2	859,698.80	-	-	-	5,738,489.49	403
Panther Creek Energy Facility	Carbon	50776	1	164,791.00	-	-	-	1,301,848.90	91
Panther Creek Energy Facility	Carbon	50776	2	162,528.00	-	-	-	1,283,971.20	90
Piney Creek Power Plant	Clarion	54144	31	123,049.00	-	-	-	972,087.10	68
Portland	Northampton	3113	1	44,733.32	-	-	-	353,393.23	25
Portland	Northampton	3113	2	98,691.69	-	-	-	779,664.35	55
Portland	Northampton	3113	5	1,150.99	-	-	-	7,682.86	1
Richmond	Philadelphia	3168	91	696.00	-	-	-	4,645.80	-
Richmond	Philadelphia	3168	92	632.00	-	-	-	4,218.60	-
Schuylkill	Philadelphia	3169	1	408.00	-	-	-	2,723.40	-
Scrubgrass Generating Plant	Venango	50974	1	174,850.55	-	-	-	1,381,319.35	97
Scrubgrass Generating Plant	Venango	50974	2	174,723.45	-	-	-	1,380,315.26	97
Seward	Indiana	3130	1	448,847.29	-	-	-	3,545,893.59	249
Seward	Indiana	3130	2	575,091.71	-	-	-	4,543,224.51	319
Shawville	Clearfield	3131	1	153,273.38	-	-	-	1,210,859.70	85
Shawville	Clearfield	3131	2	145,730.48	-	-	-	1,151,270.79	81
Shawville	Clearfield	3131	3	210,815.94	-	-	-	1,665,445.93	117
Shawville	Clearfield	3131	4	197,291.92	-	-	-	1,558,606.17	109
St. Nicholas Cogeneration Project	Schuylkill	54634	1	334,696.00	-	-	-	2,644,098.40	186
Sunbury	Snyder	3152	1A	-	-	-	-	-	-
Sunbury	Snyder	3152	1B	-	-	-	-	-	-
Sunbury	Snyder	3152	2A	7,072.00	-	-	-	55,868.80	4
Sunbury	Snyder	3152	2B	-	-	-	-	-	-
Sunbury	Snyder	3152	3	65,298.00	-	-	-	515,854.20	36
Sunbury	Snyder	3152	4	24,405.00	-	-	-	192,799.50	14
Titus	Berks	3115	1	37,571.72	-	-	-	296,816.59	21
Titus	Berks	3115	2	29,784.39	-	-	-	235,296.68	17
Titus	Berks	3115	3	36,641.85	-	-	-	289,470.62	20
Tolna	York	3116	31	493.00	-	-	-	3,290.78	-

Table 2: Proposed 2018 CAIR NO<sub>x</sub> Ozone Season Allowance Allocation

FACILITY NAME	COUNTY	ORIS CODE	UNIT ID	GROSS LOAD (Megawatt Hours)	STEAM LOAD (Thousand Lbs. of Steam)	Useful Thermal Energy (mmBTU)	Total Heat Energy of Steam Produced by Heat Recovery Steam Gen. (mmBTU)	2012 Converted Heat Input mmBTU	Calculated 2018 CAIR NO <sub>x</sub> Ozone Season Allowance Allocation
Tolna	York	3116	32	519.00	-	-	-	3,464.33	-
Veolia Energy Philadelphia - Schuylkill	Philadelphia	50607	23	-	-	310.00	-	387.50	-
Veolia Energy Philadelphia - Schuylkill	Philadelphia	50607	24	-	-	-	-	-	-
Veolia Energy Philadelphia - Schuylkill	Philadelphia	50607	26	-	-	5,486.00	-	6,857.50	-
WPS Westwood Generation, LLC	Schuylkill	50611	31	97,248.00	-	-	-	768,259.20	54
Warren	Warren	3132	5	6,667.00	-	-	-	44,502.23	3
Wheelabrator - Frackville	Schuylkill	50879	GEN1	-	1,324,187.98	-	-	1,597,715.56	112
York Energy Center	York	55524	1	500,190.00	-	-	-	3,338,768.25	234
York Energy Center	York	55524	2	500,328.00	-	-	-	3,339,689.40	234
York Energy Center	York	55524	3	498,622.00	-	-	-	3,328,301.85	234
								<b>500,395,343.59</b>	<b>35,109</b>

<b>FACILITY NAME</b>	<b>ORIS CODE</b>	<b>UNIT ID</b>	<b>COUNTY</b>	<b>2nd Revised 2012 CAIR NO<sub>x</sub> Allowance Allocation</b>	<b>Additional to 4-16-2011 Published Total</b>
AES Beaver Valley LLC	10676	32	Beaver	297	1
AES Beaver Valley LLC	10676	33	Beaver	319	1
AES Beaver Valley LLC	10676	34	Beaver	293	1
AES Beaver Valley LLC	10676	35	Beaver	154	1
AES Ironwood	55337	1	Lebanon	283	1
AES Ironwood	55337	2	Lebanon	258	2
Allegheny Energy Hunlock Unit 4	56397	4	Luzerne	13	0
Allegheny Energy Unit 1 and Unit 2	55196	1	Allegheny	14	0
Allegheny Energy Unit 1 and Unit 2	55196	2	Allegheny	13	0
Allegheny Energy Unit 8 and Unit 9	55377	8	Fayette	10	0
Allegheny Energy Unit 8 and Unit 9	55377	9	Fayette	10	0
Allegheny Energy Units 3, 4 & 5	55710	3	Allegheny	37	0
Allegheny Energy Units 3, 4 & 5	55710	4	Allegheny	41	0
Armstrong Energy Ltd Part	55347	1	Armstrong	9	0
Armstrong Energy Ltd Part	55347	2	Armstrong	11	0
Armstrong Energy Ltd Part	55347	3	Armstrong	12	0
Armstrong Energy Ltd Part	55347	4	Armstrong	4	0
Armstrong Power Station	3178	1	Armstrong	650	4
Armstrong Power Station	3178	2	Armstrong	689	4
Bethlehem Power Plant	55690	1	Northampton	99	0
Bethlehem Power Plant	55690	2	Northampton	99	1
Bethlehem Power Plant	55690	3	Northampton	96	1
Bethlehem Power Plant	55690	5	Northampton	108	0
Bethlehem Power Plant	55690	6	Northampton	108	0
Bethlehem Power Plant	55690	7	Northampton	104	0
Bruce Mansfield	6094	1	Beaver	5091	27
Bruce Mansfield	6094	2	Beaver	3797	20
Bruce Mansfield	6094	3	Beaver	4996	27
Brunner Island	3140	1	York	1599	9
Brunner Island	3140	2	York	1995	10
Brunner Island	3140	3	York	3010	16
Brunot Island Power Station	3096	2A	Allegheny	2	0
Brunot Island Power Station	3096	2B	Allegheny	2	0



<b>FACILITY NAME</b>	<b>ORIS CODE</b>	<b>UNIT ID</b>	<b>COUNTY</b>	<b>2nd Revised 2012 CAIR NO<sub>x</sub> Allowance Allocation</b>	<b>Additional to 4-16-2011 Published Total</b>
Brunot Island Power Station	3096	3	Allegheny	2	0
Cambria Cogen	10641	1	Cambria	368	1
Cambria Cogen	10641	2	Cambria	360	2
Chambersburg Units 12 and 13	55654	12	Franklin	33	0
Chambersburg Units 12 and 13	55654	13	Franklin	33	1
Cheswick	8226	1	Allegheny	2033	11
Colver Power Project	10143	AAB01	Cambria	584	3
Conemaugh	3118	1	Indiana	5280	28
Conemaugh	3118	2	Indiana	5108	27
Cromby	3159	1	Chester	509	3
Cromby	3159	2	Chester	43	0
Croydon Generating Station	8012	11	Bucks	0	0
Croydon Generating Station	8012	12	Bucks	2	0
Croydon Generating Station	8012	21	Bucks	0	0
Croydon Generating Station	8012	22	Bucks	1	0
Croydon Generating Station	8012	31	Bucks	1	0
Croydon Generating Station	8012	32	Bucks	1	0
Croydon Generating Station	8012	41	Bucks	2	0
Croydon Generating Station	8012	42	Bucks	1	0
Ebensburg Power Company	10603	31	Cambria	513	3
Eddystone Generating Station	3161	1	Delaware	1064	6
Eddystone Generating Station	3161	2	Delaware	1174	7
Eddystone Generating Station	3161	3	Delaware	47	0
Eddystone Generating Station	3161	4	Delaware	42	0
Elrama	3098	1	Washington	308	2
Elrama	3098	2	Washington	303	2
Elrama	3098	3	Washington	316	2
Elrama	3098	4	Washington	718	4
FPL Energy Marcus Hook, LP	55801	1	Delaware	289	1
FPL Energy Marcus Hook, LP	55801	2	Delaware	292	1
FPL Energy Marcus Hook, LP	55801	3	Delaware	290	1
Fairless Energy, LLC	55298	1A	Bucks	377	2

<b>FACILITY NAME</b>	<b>ORIS CODE</b>	<b>UNIT ID</b>	<b>COUNTY</b>	<b>2nd Revised 2012 CAIR NO<sub>x</sub> Allowance Allocation</b>	<b>Additional to 4-16-2011 Published Total</b>
Fairless Energy, LLC	55298	1B	Bucks	383	2
Fairless Energy, LLC	55298	2A	Bucks	432	2
Fairless Energy, LLC	55298	2B	Bucks	409	3
Fairless Hills Generating Station	7701	PHBLR3	Bucks	0	0
Fairless Hills Generating Station	7701	PHBLR4	Bucks	25	0
Fairless Hills Generating Station	7701	PHBLR5	Bucks	106	0
Fayette Energy Facility	55516	CTG1	Fayette	95	0
Fayette Energy Facility	55516	CTG2	Fayette	93	0
G F Weaton	50130	34	Beaver	204	2
G F Weaton	50130	35	Beaver	211	1
Gilberton Power Company	10113	31	Schuylkill	353	2
Gilberton Power Company	10113	32	Schuylkill	349	2
Grays Ferry Cogen Partnership	54785	2	Philadelphia	73	1
Grays Ferry Cogen Partnership	54785	25	Philadelphia	294	2
Handsome Lake Energy	55233	EU-1A	Venango	6	0
Handsome Lake Energy	55233	EU-1B	Venango	6	0
Handsome Lake Energy	55233	EU-2A	Venango	5	0
Handsome Lake Energy	55233	EU-2B	Venango	5	0
Handsome Lake Energy	55233	EU-3A	Venango	6	0
Handsome Lake Energy	55233	EU-3B	Venango	6	0
Handsome Lake Energy	55233	EU-4A	Venango	5	0
Handsome Lake Energy	55233	EU-4B	Venango	5	0
Handsome Lake Energy	55233	EU-5A	Venango	5	0
Handsome Lake Energy	55233	EU-5B	Venango	5	0
Hatfields Ferry Power Station	3179	1	Greene	2804	15
Hatfields Ferry Power Station	3179	2	Greene	2235	12
Hatfields Ferry Power Station	3179	3	Greene	1674	9
Homer City	3122	1	Indiana	3258	17
Homer City	3122	2	Indiana	3052	16
Homer City	3122	3	Indiana	2662	15
Hunlock Power Station	3176	6	Luzerne	181	1
Hunterstown Combined Cycle	55976	CT101	Adams	109	1
Hunterstown Combined Cycle	55976	CT201	Adams	73	0
Hunterstown Combined Cycle	55976	CT301	Adams	107	1
Keystone	3136	1	Armstrong	4253	23
Keystone	3136	2	Armstrong	4980	26

<b>FACILITY NAME</b>	<b>ORIS CODE</b>	<b>UNIT ID</b>	<b>COUNTY</b>	<b>2nd Revised 2012 CAIR NO<sub>x</sub> Allowance Allocation</b>	<b>Additional to 4-16-2011 Published Total</b>
Liberty Electric Power Plant	55231	1	Delaware	186	1
Liberty Electric Power Plant	55231	2	Delaware	194	1
Lower Mount Bethel Energy	55667	CT01	Northampton	281	2
Lower Mount Bethel Energy	55667	CT02	Northampton	284	1
Martins Creek	3148	1	Northampton	470	3
Martins Creek	3148	2	Northampton	326	2
Martins Creek	3148	3	Northampton	158	1
Martins Creek	3148	4	Northampton	86	1
Martins Creek	3148	AUX4B	Northampton	0	0
Mitchell Power Station	3181	1	Washington	2	0
Mitchell Power Station	3181	2	Washington	1	0
Mitchell Power Station	3181	3	Washington	2	0
Mitchell Power Station	3181	33	Washington	1212	6
Montour	3149	1	Montour	3841	21
Montour	3149	2	Montour	4010	22
Mountain	3111	31	Cumberland	4	0
Mountain	3111	32	Cumberland	2	0
Mt. Carmel Cogeneration	10343	SG-101	Northumberland	202	1
New Castle	3138	3	Lawrence	228	2
New Castle	3138	4	Lawrence	252	1
New Castle	3138	5	Lawrence	356	2
North East Cogeneration Plant	54571	1	Erie	9	0
North East Cogeneration Plant	54571	2	Erie	8	0
Northampton Generating Plant	50888	NGC01	Northampton	690	4
Northeastern Power Company	50039	31	Schuylkill	334	2
Ontelaunee Energy Center	55193	CT1	Berks	400	2
Ontelaunee Energy Center	55193	CT2	Berks	409	2
Panther Creek Energy Facility	50776	1	Carbon	273	2
Panther Creek Energy Facility	50776	2	Carbon	263	2
Piney Creek Power Plant	54144	31	Clarion	210	1
Portland	3113	1	Northampton	652	4
Portland	3113	2	Northampton	920	5
Portland	3113	5	Northampton	4	0
Richmond	3168	91	Philadelphia	2	0
Richmond	3168	92	Philadelphia	3	0

<b>FACILITY NAME</b>	<b>ORIS CODE</b>	<b>UNIT ID</b>	<b>COUNTY</b>	<b>2nd Revised 2012 CAIR NO<sub>x</sub> Allowance Allocation</b>	<b>Additional to 4-16-2011 Published Total</b>
Schuylkill	3169	1	Philadelphia	18	0
Scrubgrass Generating Plant	50974	1	Venango	280	2
Scrubgrass Generating Plant	50974	2	Venango	274	1
Seward	3130	1	Indiana	1265	6
Seward	3130	2	Indiana	1294	7
Shawville	3131	1	Clearfield	493	3
Shawville	3131	2	Clearfield	551	3
Shawville	3131	3	Clearfield	761	4
Shawville	3131	4	Clearfield	778	4
St. Nicholas Cogeneration Project	54634	1	Schuylkill	741	3
Sunbury	3152	1A	Snyder	150	1
Sunbury	3152	1B	Snyder	147	1
Sunbury	3152	2A	Snyder	137	1
Sunbury	3152	2B	Snyder	156	1
Sunbury	3152	3	Snyder	289	2
Sunbury	3152	4	Snyder	317	2
Titus	3115	1	Berks	299	1
Titus	3115	2	Berks	257	1
Titus	3115	3	Berks	307	2
Tolna	3116	31	York	1	0
Tolna	3116	32	York	1	0
Trigen Energy - Schuylkill	50607	23	Philadelphia	47	0
Trigen Energy - Schuylkill	50607	24	Philadelphia	60	0
Trigen Energy - Schuylkill	50607	26	Philadelphia	56	1
Trigen Energy Corporation-Edison St	880006	1	Philadelphia	0	0
Trigen Energy Corporation-Edison St	880006	2	Philadelphia	0	0
Trigen Energy Corporation-Edison St	880006	3	Philadelphia	0	0
Trigen Energy Corporation-Edison St	880006	4	Philadelphia	0	0
WPS Westwood Generation, LLC	50611	31	Schuylkill	162	0
Warren	3132	5	Warren	0	0
Wheelabrator - Frackville	50879	GEN1	Schuylkill	355	2
Williams Generation Co (Hazleton)	10870	TURB2	Luzerne	4	0
Williams Generation Co (Hazleton)	10870	TURB3	Luzerne	4	0
Williams Generation Co (Hazleton)	10870	TURB4	Luzerne	4	0



FACILITY NAME	ORIS CODE	UNIT ID	COUNTY	2nd Revised 2012 CAIR NO <sub>x</sub> Allowance Allocation	Additional to 4-16-2011 Published Total
Williams Generation Co (Hazleton)	10870	TURBIN	Luzerne	3	0
Bear Creek Windfarm & Locust Ridge Windfarm		RE		15	0
				<b>98286</b>	<b>525</b>

[Pa.B. Doc. No. 14-1100. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Control Measure under Consideration by the Ozone Transport Commission; Public Comment Period

The Department of Environmental Protection (Department) is seeking comments on a control measure under consideration by the Ozone Transport Commission (Commission) for the attainment and maintenance of the ozone National Ambient Air Quality Standards. This public comment period is consistent with section 7.4 of the Air Pollution Control Act (35 P.S. § 4007.4), which requires an opportunity for public review and comment of recommendations for additional control measures prior to final action by the Commission.

The Commission, a multi-state organization created under sections 176A and 184 of the Clean Air Act (42 U.S.C.A. §§ 7506a and 7511c), is authorized to develop recommendations for additional control measures to mitigate the transport of ozone and its precursors in the Ozone Transport Region (OTR) established by operation of law. In addition to the Commonwealth, OTR is comprised of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, northern Virginia and the District of Columbia.

The Commission has issued a charge to the mobile, stationary and area source and modeling committees to identify control measures and develop model rules, if necessary, for consideration by the Commission to reduce ozone and its precursors, volatile organic compounds and nitrogen oxides. The Commission may consider final action during its annual meeting on June 11, 2014. The adoption of memoranda of understanding, resolutions or other actions would commit the signatory states to pursue the adoption and implementation of the following control measure:

- Sale of aftermarket catalytic convertors for light-duty vehicles

The Commission conducted a public comment period on the potential control measure. The Department will review stakeholder comments submitted to the Commission on the proposed measure and will consider those comments prior to final Commission action on the proposed control measure.

Materials describing the potential control measure can be found on the Department web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (choose "Air Quality"). Additional materials can be found at the Commission web site at [www.otcair.org](http://www.otcair.org) (choose "Meetings").

Written comments should be sent to Kirit Dalal, Chief, Division of Air Resource Management, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468,

[kdalal@pa.gov](mailto:kdalal@pa.gov) and must be received by June 23, 2014. The Department will consider and retain all comments, but will not prepare a comment and response document.

Adoption by the Commission of any control measure is considered a commitment by signatory states to pursue legislative or regulatory action to adopt and implement the measure. Any control measure proposed for promulgation in this Commonwealth would be subject to the Commonwealth's notice and comment rulemaking process under the act of July 31, 1968 (P.L. 769, No. 240) (45 P.S. §§ 1102—1208), known as the Commonwealth Documents Law, Regulatory Review Act (71 P.S. §§ 745.1—745.12) and Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506).

E. CHRISTOPHER ABRUZZO,  
*Secretary*

[Pa.B. Doc. No. 14-1101. Filed for public inspection May 23, 2014, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of CH Hospital of Allentown, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that CH Hospital of Allentown, LLC requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov).

The facility is requesting a waiver of the comment period as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1102. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Application of Chester County Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Chester County Hospital has requested an exception to the requirements of 28 Pa. Code § 51.6 (relating to identification of personnel).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1103. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Application of Children's Surgery Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Children's Surgery Center, LLC has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically request exemptions from the following standards contained in this publication: 3.7-3.4.1.1 and 3.7-3.4.2.2 (relating to pre-operative holding stations; and post-anesthesia recovery positions).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and

require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1104. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Application of Holy Spirit Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Holy Spirit Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *American Institute of Architects*. The facility specifically requests exemptions from the following standards contained in this publication: 2.2-3.6.4.3(2)(a) (relating to exam rooms).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1105. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Application of NextGen Endoscopy Centre for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that NextGen Endoscopy Centre has requested an exception to the requirements of subparagraph (iii) of the definition of "classification levels" in 28 Pa. Code § 551.3 (relating to definitions), specifically PS-3 patients, and 28 Pa. Code § 555.31(a) (relating to principle).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and

Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1106. Filed for public inspection May 23, 2014, 9:00 a.m.]

### **Application of PRISM Center for Spine and Pain Care for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that PRISM Center for Spine and Pain Care has requested an exception to the requirements of 28 Pa. Code § 557.4 (relating to Quality Assurance and Improvement Committee).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1107. Filed for public inspection May 23, 2014, 9:00 a.m.]

### **Application of Pinnacle Health Hospital for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Health Hospital has requested an exception to the requirements of 28 Pa. Code § 105.11 (relating to access).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1108. Filed for public inspection May 23, 2014, 9:00 a.m.]

### **Application of Planned Parenthood Keystone (PPKey)—Allentown for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Planned Parenthood Keystone (PPKey)—Allentown has requested an exception to the requirements of 28 Pa. Code § 29.33(6) (relating to requirements for abortion).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facility is requesting a waiver of the comment period as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1109. Filed for public inspection May 23, 2014, 9:00 a.m.]

### **Application of Planned Parenthood Keystone (PPKey)—Easton for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Planned Parenthood Keystone (PPKey)—Easton has requested an exception to the requirements of 28 Pa. Code § 29.33(6) (relating to requirements for abortion).



The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1110. Filed for public inspection May 23, 2014, 9:00 a.m.]

### **Application of Planned Parenthood Keystone (PPKey)—Harrisburg for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Planned Parenthood Keystone (PPKey)—Harrisburg has requested an exception to the requirements of 28 Pa. Code § 29.33(6) (relating to requirements for abortion).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1111. Filed for public inspection May 23, 2014, 9:00 a.m.]

### **Application of Planned Parenthood Keystone (PPKey)—Reading for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Planned Parenthood Keystone (PPKey)—Reading has requested an exception to the requirements of 28 Pa. Code § 29.33(6) (relating to requirements for abortion).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and

Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facility is requesting a waiver of the comment period as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1112. Filed for public inspection May 23, 2014, 9:00 a.m.]

### **Application of Planned Parenthood Keystone (PPKey)—Warminster for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Planned Parenthood Keystone (PPKey)—Warminster has requested an exception to the requirements of 28 Pa. Code § 29.33(6) (relating to requirements for abortion).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facility is requesting a waiver of the comment period as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1113. Filed for public inspection May 23, 2014, 9:00 a.m.]

### **Application of Planned Parenthood Keystone (PPKey)—York for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Planned Parenthood Keystone (PPKey)—York has requested an exception to the requirements of 28 Pa. Code § 29.33(6) (relating to requirements for abortion).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facility is requesting a waiver of the comment period as set forth in 28 Pa. Code § 51.33(c).



Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984.

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1114. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Application of UPMC Mercy for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Mercy has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *American Institute of Architects*. The facility specifically requests exemptions from the following standards contained in this publication: 2.2-2.12.6.5 (relating to environmental services rooms).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1115. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Application of UPMC Presbyterian Shadyside for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Presbyterian Shadyside has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *American Institute of Architects*. The facility

specifically requests exemptions from the following standards contained in this publication: 2.2-2.2.2.2(2)(a) (relating to clearances).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Secretary

[Pa.B. Doc. No. 14-1116. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facilities are seeking exceptions to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Frey Village  
1020 North Union Street  
Middletown, PA 17057-2199  
FAC ID # 062102

Golden LivingCenter—Reading  
21 Fairlane Road  
Reading, PA 19606  
FAC ID # 026202

Golden LivingCenter—William Penn  
163 Summit Drive  
Lewistown, PA 17044  
FAC ID # 750602

ManorCare Health Services—Bethlehem (2021)  
2021 Westgate Drive  
Bethlehem, PA 18017  
FAC ID # 900302

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(h) (relating to bathing facilities):

ManorCare Health Services—Monroeville  
885 Macbeth Drive  
Monroeville, PA 15146  
FAC ID # 076502

Swaim Health Center  
210 Big Spring Road  
Newville, PA 17241  
FAC ID # 970502

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions):

Golden Hill Nursing and Rehab  
520 Friendship Street  
New Castle, PA 16101  
FAC ID # 850302

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 14-1117. Filed for public inspection May 23, 2014, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

**Franklin Township Municipal Sanitary Authority v.  
DEP; EHB Doc. No. 2014-063-B**

Franklin Township Municipal Sanitary Authority has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Franklin Township Municipal Sanitary Authority for the Meadowbrook Rd STP in the Municipality of Murrysville, Westmoreland County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Chairperson*

[Pa.B. Doc. No. 14-1118. Filed for public inspection May 23, 2014, 9:00 a.m.]

## ENVIRONMENTAL QUALITY BOARD

### Meeting Cancellation

The June 17, 2014, meeting of the Environmental Quality Board (Board) is cancelled. The next regularly scheduled meeting of the Board will occur on Tuesday, July 15, 2014, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. The agenda and meeting materials for the July 15, 2014, meeting will be available on the Department of Environmental Protection's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (Select "Public Participation Center" then "The Environmental Quality Board" then "EQB Meeting Scheduled 2014").

Questions concerning the Board's next scheduled meeting may be directed to Laura Edinger at (717) 783-8727 or [ledinger@pa.gov](mailto:ledinger@pa.gov).

E. CHRISTOPHER ABRUZZO,  
*Chairperson*

[Pa.B. Doc. No. 14-1119. Filed for public inspection May 23, 2014, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Additions to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) has approved the addition of four stream sections to its list of Class A Wild Trout Streams as set forth at 44 Pa.B. 1296 (March 1, 2014).

Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. The Commission manages these stream sections for wild trout with no stocking.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 14-1120. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Classification of Wild Trout Streams; Additions, Adjustments and Removals

The Fish and Boat Commission (Commission) has approved the addition of 18 new waters to its list of wild trout streams, the adjustment of the section limits of 3 waters on the list and the removal of 48 waters from the list as published at 44 Pa.B. 1293 (March 1, 2014). Of the streams proposed for removal, Big Spring Run, Westmoreland County, was inadvertently listed. Section 01 of this stream has been documented to contain wild trout and the limits of the section designated as a wild trout stream were adjusted in 2012. Therefore, the Commission did not remove Big Spring Run from the list.

Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Commission to

accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams. The Commission's Fisheries Management Division maintains the complete list of wild trout streams and it is available on the Commission's web site at [http://www.fish.state.pa.us/trout\\_repro.htm](http://www.fish.state.pa.us/trout_repro.htm).

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 14-1121. Filed for public inspection May 23, 2014, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the dates noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from the web site at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

#### *Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
#126-5	Philadelphia Parking Authority Wheelchair Accessible Vehicle Taxicabs	5/8/14	6/19/14
#126-6	Philadelphia Parking Authority Taxicab Medallion Sales by the Authority	5/8/14	6/19/14

JOHN F. MIZNER, Esq.,  
*Chairperson*

[Pa.B. Doc. No. 14-1122. Filed for public inspection May 23, 2014, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Acquire Control of Healthcare Providers Insurance Exchange

Healthcare Providers Insurance Exchange (HPIX), an unincorporated association authorized as a Pennsylvania domiciled reciprocal insurance exchange, has filed an application to acquire control of itself. The acquisition of control is proposed to be achieved through HPIX's acquisition of 100% of the membership interests in American Healthcare Providers Insurance Services Company, LLC, a Delaware limited liability company. The filing was received on May 5, 2014, and was made under Article XIV of The Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1413).

Persons wishing to comment on this acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [cbybee@pa.gov](mailto:cbybee@pa.gov). Com-

ments received will be part of the public record regarding the filing and will be forwarded to the applicant for appropriate response.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1123. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Phoebe Corporate and Community Based Services, Inc.

Phoebe Corporate and Community Based Services, Inc. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Pathstones By Phoebe in Allentown, PA. The initial filing was received on April 30, 2014, and was made under the Continuing-Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of

the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1124. Filed for public inspection May 23, 2014, 9:00 a.m.]

### **Berkshire Life Insurance Company of America; Proposed Rate Increase for Several LTC Forms; Rate Filing**

Berkshire Life Insurance Company of America is requesting approval to increase the premium 25% on 388 policyholders with the following individual LTC forms: BG01P (06/04)-PA, BG02P (06/04)-PA, BG03P (06/04)-PA and BG04P (06/04)-PA.

Unless formal administrative action is taken prior to August 7, 2014, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1125. Filed for public inspection May 23, 2014, 9:00 a.m.]

### **Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the in-

sured's automobile insurance policy. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Diane Hopkins; file no. 14-116-160049; GEICO; Doc. No. P14-04-021; June 11, 2014, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 14-1126. Filed for public inspection May 23, 2014, 9:00 a.m.]

## **MILK MARKETING BOARD**

### **Sunshine Meeting Calendar for Fiscal Year 2014-2015**

<i>Date</i>	<i>Room</i>	<i>Time</i>
Wednesday, July 2, 2014	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, August 6, 2014	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, September 3, 2014	202—Agriculture Building Harrisburg, PA 17110	1 p.m.



<i>Date</i>	<i>Room</i>	<i>Time</i>
Wednesday, October 1, 2014	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, November 5, 2014	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, December 3, 2014	309—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, January 7, 2015	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
* Tuesday, February 3, 2015	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, March 4, 2015	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, April 1, 2015	309—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, May 6, 2015	202—Agriculture Building Harrisburg, PA 17110	1 p.m.
Wednesday, June 3, 2015	202—Agriculture Building Harrisburg, PA 17110	1 p.m.

\* Not the first Wednesday of the month due to conflicts.

TIM MOYER,  
*Secretary*

[Pa.B. Doc. No. 14-1127. Filed for public inspection May 23, 2014, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411957. (Allegheny Township, Blair County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Allegheny Township, Blair County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available

for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1128. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411971. (Breaknock Township, Berks County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Breaknock Township, Berks County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1129. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411942. (Burrell Township, Indiana County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Burrell Township, Indiana County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square,

Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1130. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411950. (Cambria Township, Cambria County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Cambria Township, Cambria County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1131. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411963. (Chartiers Township, Washington County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Chartiers Township, Washington County are reasonably necessary for the convenience and

welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1132. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411951. (Derry Township, Westmoreland County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Derry Township, Westmoreland County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The

amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1133. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411944. (East Wheatfield Township, Indiana County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in East Wheatfield Township, Indiana County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1134. Filed for public inspection May 23, 2014, 9:00 a.m.]



### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411945. (Fairview Township, York County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Fairview Township, York County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1135. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411948. (Frankstown Township, Blair County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Frankstown Township, Blair County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1136. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411974. (Hampden Township, Cumberland County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Hampden Township, Cumberland County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP



*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, lewis@blankrome.com, mkrancer@blankrome.com, ftamulonis@blankrome.com.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1137. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411954. (Hempfield Township, Westmoreland County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Hempfield Township, Westmoreland County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, lewis@blankrome.com, mkrancer@blankrome.com, ftamulonis@blankrome.com.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1138. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411976. (Londonderry Township, Dauphin County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Londonderry Township, Dauphin

County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, lewis@blankrome.com, mkrancer@blankrome.com, ftamulonis@blankrome.com.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1139. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411979. (Lower Frankford Township, Cumberland County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Lower Frankford Township, Cumberland County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings

must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1140. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411943. (Lower Swatara Township, Dauphin County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Lower Swatara Township, Dauphin County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1141. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411952. (Loyalhanna Township, Westmoreland County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Loyalhanna Township, Westmoreland County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1142. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411946. (North Middleton Township, Cumberland County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in North Middleton Township, Cumberland County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1143. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411960. (North Strabane Township, Washington County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in North Strabane Township, Washington County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square,

Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1144. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411961. (Penn Township, Huntingdon County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Penn Township, Huntingdon County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1145. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411953. (Penn Township, Westmoreland County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Penn Township, Westmoreland County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.



Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1146. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411956. (Rostraver Township, Westmoreland County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Rostraver Township, Westmoreland County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The

amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1147. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411980. (Salem Township, Westmoreland County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Salem Township, Westmoreland County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1148. Filed for public inspection May 23, 2014, 9:00 a.m.]



### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411964. (Shirley Township, Huntingdon County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Shirley Township, Huntingdon County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1149. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411972. (Spring Township, Berks County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Spring Township, Berks County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1150. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411967. (Toboyne Township, Perry County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Toboyne Township, Perry County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square,

Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, lewis@blankrome.com, mkrancer@blankrome.com, ftamulonis@blankrome.com.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1151. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411958. (Union Township, Washington County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Union Township, Washington County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, lewis@blankrome.com, mkrancer@blankrome.com, ftamulonis@blankrome.com.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1152. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411965. (Upper Chichester Township, Delaware County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Upper Chichester Township, Delaware County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, lewis@blankrome.com, mkrancer@blankrome.com, ftamulonis@blankrome.com.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1153. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411968. (Upper Uwchlan Township, Chester County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Upper Uwchlan Township, Chester County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's

(Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1154. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411941. (Wallace Township, Chester County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in Wallace Township, Chester County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1155. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411975. (West Cocalico Township, Lancaster County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in West Cocalico Township, Lancaster County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1156. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411977. (West Cornwell Township, Lebanon County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in West Cornwell Township, Lebanon County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P. S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.



The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square, Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1157. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Amended Petition of Sunoco Pipeline, LP

**P-2014-2411966. (West Goshen Township, Chester County) Sunoco Pipeline, LP** (1818 Market Street, Suite 1500, Philadelphia, PA 19103) for a finding that structures to shelter pump stations or valve control stations, or both, in West Goshen Township, Chester County are reasonably necessary for the convenience and welfare of the public and, therefore, exempt from any local zoning, subdivision and land development.

Sunoco Pipeline, LP files this amended petition under 52 Pa. Code § 5.41 (relating to petitions generally) and section 619 of the Pennsylvania Municipalities Planning Code (53 P.S. § 10619) for a finding that the situation of structures to shelter pump stations or valve control stations, or both, is reasonably necessary for the convenience and welfare of the public and exempt from any local zoning, subdivision and land development, as described under the petition.

The amended petition clarifies that Sunoco Pipeline, LP will be relying on existing certificates of public convenience for the Mariner East Project to provide intrastate service on the Mariner East pipeline. Formal protests, comments and petitions to intervene will be due by the close of business at 4:30 p.m. on June 9, 2014. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner. The amended petition for each municipality has been published on the Pennsylvania Public Utility Commission's (Commission) web site at [www.puc.pa.gov](http://www.puc.pa.gov) or is available for inspection at the Office of the Secretary in the Commission's Harrisburg office from 8 a.m. to 4:30 p.m., Monday through Friday.

*Petitioner:* Sunoco Pipeline, LP

*Through and By Counsel:* Christopher A. Lewis, Michael L. Krancer, Frank L. Tamulonis, One Logan Square,

Philadelphia, PA 19103, (215) 569-5793, fax (215) 832-5793, [lewis@blankrome.com](mailto:lewis@blankrome.com), [mkrancer@blankrome.com](mailto:mkrancer@blankrome.com), [ftamulonis@blankrome.com](mailto:ftamulonis@blankrome.com).

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1158. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Assignment of Certain Retail Telecommunications Customers

**A-2014-2421147 and A-2014-2421150. Network Billing Systems, LLC and Cypress Communications Operating Company, LLC.** Joint application of Network Billing Systems, LLC and Cypress Communications Operating Company, LLC for approval for the assignment of certain retail telecommunications customers of Cypress Communications Operating Company, LLC to Network Billing Systems, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before June 9, 2014. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov) and at the applicant's business address.

*Applicants:* Network Billing Systems, LLC, Cypress Communications Operating Company, LLC

*Through and By Counsel:* Michael A. Gruin, Esquire, Stevens & Lee, Harrisburg Market Square, 17 North Second Street, 16th Floor, Harrisburg, PA 17101

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1159. Filed for public inspection May 23, 2014, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by June 9, 2014. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.



**Application of the following for approval to begin operating as common carriers for transportation of persons as described under the application.**

**A-2014-2404945. Manito Transportation Services, Inc.** (7564 Browns Mill Road, Chambersburg, Franklin County, PA 17202-9252) persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Berks, Cumberland, Franklin, Montgomery and York, to points in Pennsylvania, and return, excluding service under the jurisdiction of the Philadelphia Parking Authority.

**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.**

**A-2013-2415532. Corrected—Easton Coach Company** (1200 Conroy Place, Easton, PA 18040)—a corporation of the State of Delaware—for the right to begin to transport, by motor vehicle, persons in paratransit service, which is to be a transfer of all rights authorized under the certificate issued at A-0013766, F. 6 to Norristown Yellow Cab Co, Inc., subject to the same rights and limitations. *Attorney:* Steven K. Haas, 100 North Tenth Street, Harrisburg, PA 17101.

**A-2013-2415560. Corrected—Easton Coach Company** (1200 Conroy Place, Easton, PA 18040)—a corporation of the State of Delaware—for the right to begin to transport, by motor vehicle, persons upon call or demand, which is to be a transfer of all rights authorized under the certificate issued at A-0013766, F. 4, Am-A to Norristown Yellow Cab Co, Inc., subject to the same rights and limitations. *Attorney:* Steven K. Haas, 100 North Tenth Street, Harrisburg, PA 17101.

**Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under each application.**

**A-2014-2403125. Conrad Seth Martin, t/a Mt. Everest Moving Company** (261 Wabash Road, Ephrata, Lancaster County, PA 17522) household goods in use, from points in Lancaster, Lebanon and Berks Counties, to points in Pennsylvania, and vice versa.

**A-2014-2405375. Hill Investments, LLC** (25 Bala Avenue, Bala Cynwyd, Montgomery County, PA 19004) household goods in use, between points in the Counties of Delaware and Montgomery, and the City and County of Philadelphia.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1160. Filed for public inspection May 23, 2014, 9:00 a.m.]

**Service of Notice of Motor Carrier Formal Complaints**

Formal complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due June 9, 2014, and must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Limousine Services Transportation, Inc.;  
Doc. No. C-2014-2404528*

**COMPLAINT**

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Limousine Services Transportation, Inc., (respondent) is under suspension effective January 25, 2014 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 215 Noble Street, Souderton, PA 18964.

3. That respondent was issued a Certificate of Public Convenience by this Commission on August 09, 1992, at A-00110190.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00110190 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

**VERIFICATION**

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the

statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/10/2014

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord Certificates of Insurance and faxed Form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of

insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

*Pennsylvania Public Utility Commission, Bureau  
of Investigation and Enforcement v. Sigmund  
Transfer Company LLC;  
Doc. No. C-2014-2407066*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Sigmund Transfer Company, LLC, (respondent) is under suspension effective November 24, 2013 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 2606 Fifth Avenue, McKeesport, PA 15132.
3. That respondent was issued a Certificate of Public Convenience by this Commission on December 23, 2004, at A-00120984.
4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 and causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00120984 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hun-

dred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/26/2014

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
ment

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days

of the date of service of this Complaint. Acord Certificates of Insurance and faxed Form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

*Pennsylvania Public Utility Commission, Bureau of  
Investigation and Enforcement v. Ultimate Medical  
Services Inc; Doc. No. C-2014-2407089*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Ultimate Medical Services, Inc., (respondent) is under suspension effective November 25, 2013 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 201 Old Mill Road, Newmanstown, PA 17073.

3. That respondent was issued a Certificate of Public Convenience by this Commission on March 09, 2007, at A-00123113.



4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 and causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00123113 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/26/2014

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

C. Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

D. Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

E. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

F. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord Certificates of Insurance and faxed Form Es and Hs are unacceptable as evidence of insurance.

G. The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

H. Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

I. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

J. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

K. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

L. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Gennady Belik;*  
*Doc. No. C-2014-2408393*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are



prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Gennady Belik, (respondent) is under suspension effective February 07, 2014 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 8317 Dorcas Street, Philadelphia, PA 19152.

3. That respondent was issued a Certificate of Public Convenience by this Commission on November 02, 2012, at A-8914696.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8914696 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 3/5/2014

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the

mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

C. Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

D. Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov

E. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

F. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord Certificates of Insurance and faxed Form Es and Hs are unacceptable as evidence of insurance.

G. The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

H. Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

I. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

J. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

K. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound

by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

L. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

*Pennsylvania Public Utility Commission, Bureau  
of Investigation and Enforcement v. Geyer & Son Inc;  
Doc. No. C-2014-2408795*

### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Geyer & Son, Inc., (respondent) is under suspension effective January 21, 2014 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at PO Box 42446, Pittsburgh, PA 15203.
3. That respondent was issued a Certificate of Public Convenience by this Commission on April 02, 2012, at A-8914243.
4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-8914243 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 3/11/2014

David W. Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement

### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

C. Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
P. O. Box 3265  
Harrisburg, PA 17105-3265

D. Or, emailed to Mr. Scott at: [RA-PCCmplntResp@pa.gov](mailto:RA-PCCmplntResp@pa.gov)

E. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

F. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord Certificates of Insurance and faxed Form Es and Hs are unacceptable as evidence of insurance.

G. The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

H. Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

I. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

J. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

K. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

L. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Harrisburg City Cab, Inc. t/d/b/a Harrisburg City Cab and Liberty Cab;  
 Doc. No. C-2014-2409304*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Harrisburg City Cab, Inc., t/d/b/a Harrisburg City Cab and Liberty Cab, (respondent) is under suspension effective February 23, 2014 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 1601 Paxton Street, Harrisburg, PA 17104.

3. That respondent was issued a Certificate of Public Convenience by this Commission on January 12, 2010, at A-00122208.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00122208 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

#### VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: 3/11/2014

David W. Loucks, Chief  
 Motor Carrier Enforcement  
 Bureau of Investigation and Enforcement

#### NOTICE

A. You must file an Answer within 20 days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

B. Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

C. Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor  
 Pennsylvania Public Utility Commission  
 Bureau of Investigation and Enforcement  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

D. Or, emailed to Mr. Scott at: RA-PCCmplntResp@pa.gov



E. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.

F. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Accord Certificates of Insurance and faxed Form Es and Hs are unacceptable as evidence of insurance.

G. The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

H. Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

I. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

J. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.

K. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

L. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 14-1161. Filed for public inspection May 23, 2014, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) at Docket A-14-04-03 by the following named applicant. The company has applied to transfer the rights held by Bilady, Inc. (CPC No. 1020454-01, Medallion P-1058) to transport persons in taxicab service

between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Ashok Trans, Inc.**, 2301 Church Street, Philadelphia, PA 19124 registered with the Department of State on June 15, 2009.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by June 9, 2014. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 14-1162. Filed for public inspection May 23, 2014, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

### Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge an action, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board.

Important legal rights are at stake, so individuals interested in challenging this action should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.



**Odor Management Plan—Public Notice Spreadsheet—Actions**

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New, Amended, or Existing</i>	<i>Action Taken</i>
Country View Family Farms Smiling Porker Farm 676 Granger Lane Morris, PA 16938	Lycoming County/ Pine Township	2,978.6	Swine	New	Approved
David Breckbill 331 Walnut Run Road Willow Street, PA 17584	Lancaster County/ Strasburg Township	77.4	Layers	New	Approved
Daniel Z. Martin 125 Kerrsville Road Carlisle, PA 17015	Cumberland County/ West Pennsboro Township	199.75	Layers	New	Approved
Dean Puderbaugh 412 Hemlock Hollow Road Benton, PA 17814	Columbia County/ Pine Township	713.42	Swine	New	Approved
Christian Herr 6103 Penns Valley Road Aaronsburg, PA 16820	Centre County/ Haines Township	78.4	Pullets	New	Approved
Earl G. Martin 123 Willis Pierce Road Ephrata, PA 17522	Lancaster County/ West Earl Township	80	Layers	New	Approved

GEORGE D. GREIG,  
*Chairperson*

[Pa.B. Doc. No. 14-1163. Filed for public inspection May 23, 2014, 9:00 a.m.]